673

Lectur[ae] p[ri]me [super] 2o D[ecre]ti...

Lectura in 2a Distinctione
In Iure

364

N. Inv. 364.

CC III
12

[illegible] fit q[illegible] pene et [illegible] si iudex
no fuit [illegible] tollerant q[illegible] pene
uel [illegible] ad pena [illegible] quidem
pregnas no [illegible] q no du est iudex [illegible]
dicendu q si [illegible] fuit [illegible] iudici ut
q [illegible] sup[illegible] cuius [illegible] q [illegible]
possit [illegible] ordinarium
Anglo [illegible] si uel manifesta [illegible]
[illegible] ex [illegible] libri Anglo [illegible]
[illegible] in crimine [illegible] q tunc
no [illegible] ordo iur de [illegible]
et [illegible] manifesta [illegible]

[illegible] tria dea [illegible] ibi et [illegible]
[illegible] inter [illegible] tractat
[illegible] diocesis terminare negocia [illegible]
[illegible] archiepiscopo [illegible] archidyacon[illegible]
tractu q [illegible] no [illegible]
[illegible] secus si [illegible]
[illegible] et [illegible]
[illegible] et no[illegible]
[illegible] iudex [illegible] auct[illegible] q [illegible]
[illegible] iusticia q [illegible]
[illegible]
[illegible] et [illegible]
[illegible] iur [illegible] timet [illegible]
[illegible]
[illegible] et de [illegible] libri [illegible]
auct[illegible] et [illegible]
[illegible] no [illegible] et [illegible]
[illegible]
[illegible] iudex [illegible] auct[illegible] q [illegible]
[illegible] et [illegible]
[illegible] q no [illegible]
tractare negocia [illegible] no [illegible] de
[illegible] q [illegible]
[illegible] ne laycus [illegible]
[illegible] et [illegible]
[illegible] q no ut no[illegible] [illegible]
[illegible] q no q [illegible]
[illegible] et [illegible]
[illegible] ut no[illegible] [illegible]
[illegible] ne [illegible] dec [illegible]
[illegible] q [illegible] spuali q tunc [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] laycus cognoscit [illegible]
[illegible] secus si [illegible]
[illegible] q tunc [illegible]
[illegible] q [illegible]
[illegible] ne [illegible] spualibz
[illegible] q no [illegible]
et [illegible] et [illegible]
[illegible] q [illegible]
[illegible]

[illegible] ne dñ [illegible] spualibz dic ut
[illegible] et [illegible] capiendi
[illegible] gl[illegible] ibi [illegible] platus [illegible]
[illegible] laycus [illegible] q tunc
laycus cognoscit auct[illegible] plati no [illegible]
secus si [illegible] auct[illegible] q tunc
iudex cognosceret [illegible] auct[illegible] q no
[illegible] quarto [illegible]

Causa iur [illegible] terminat
[illegible] eandem [illegible] decebat [illegible]
q [illegible] regis anglie [illegible]
[illegible] de iur [illegible] q [illegible]
[illegible] et [illegible]
[illegible] spuali [illegible]
spualis [illegible] q [illegible]
spualis q [illegible] abettu [illegible]
[illegible] et obietta [illegible]
[illegible] laycos [illegible]
q [illegible] ut no[illegible] de iur [illegible]
et [illegible] ut [illegible]
[illegible] de [illegible]
[illegible] ut [illegible]
ibi et [illegible] mere spuale
laycus no tractat [illegible] possidet [illegible] mere
spuale tractat et possidet [illegible] mixtu
[illegible] no tractat [illegible]
possidet [illegible]
q [illegible] mere spualia et [illegible] laycus
no cognoscit [illegible] de ordine [illegible]
[illegible] mere
[illegible] et [illegible] cognoscit [illegible] mixta
[illegible] mobilia [illegible]
[illegible] ut [illegible]
[illegible] mobile ut [illegible] q [illegible]
[illegible] et uel [illegible]

[illegible] ut [illegible] de
[illegible] ut [illegible] ibi [illegible]
[illegible] de adulteriis [illegible] ibi [illegible]
et [illegible] de [illegible]
ut [illegible] et [illegible] et [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] et [illegible] actio [illegible]
[illegible]
[illegible]
Crimina [illegible] sanctitate [illegible]
[illegible] pene [illegible] no[illegible] [illegible]
[illegible] gl[illegible] [illegible] uarias
[illegible] no [illegible]
[illegible] no [illegible]
[illegible] uel [illegible]
[illegible] ut [illegible]
[illegible] et [illegible] et
[illegible]

Criminibus manifestis q de occultis no e mita
dispensatio ut c. f. de epi or / Epos michi dr
de capitulo q q si quis dispens fu capitulo decl
not de elt exco q ubi et ibi glo q fuit
i talib nota q decreti ad abolendam Sexto
dicit fuit q p pbacoz et gfessioz cia cffiti
... notoria de gfis c. ult et notoria no
i digs iudiciaria in agite de accu ebdem
... i qui fuit gfessio gfirmata fuit i balida
... q pun no poi iudic e mta c si no agi
iudice i rubrica totu et ibi maiae l. f. 2
de gfite adm ... ite ar. apti ...
... ite q iudex pmittens futurus e
offo de of del in ... ite q unu delictu
no debz puniri ... Oppai p°
text q rigore gfirmatois fre coram layco
no puniet ... fuit ... dubiu cu
pollicitacoe sibi debeat iudex iudicare ...
q ... iudex et ... de dubio ff
de certo ... l. labeo ... gsti
... epo q ... remiserat cu
actis ut fieri sol Oppoe ij de l. ...
e de libe cau ... l. duo prom ff de iur
iur ... contra gfessione ...
... fac ... gfessori ... no ...
fuit ... ut ... Oppoe ... text q
epis pt ... a morib ... de epi
or c. f. ... de manifestis crimib
In occultis aut no e mta dispensatio
Oppoe ... de c. io ... q. ... et c. ... de
clerico ... epos dispensat ...
... no ... ubi et ... ut
ubi no. Volo mo q ... alia puncta
... de facultate epi i dispensando et clerico
requisito coram layco iudice et ... excnabo
... glo ... gfessioz coram ... et ...
posset ... et ... q ...
textu erroris ... de gfes c. f. ...
ite ... de accu ...
... no ... a ... q ...
epi michi ... q gfessio fuit ...
reglas no ... de ... Et q
... cu ... sit ... e ...
... q no c. ... plenius ...
... de elect ... quisitoz ...
q gfes a fact glo tangit ...
... no a ... in ...
q ... republica ... de accu
... dicit ... a ...
deposito ... q quod ... et ...
... crat ... fuit ...
... q no ... facultas ...
... enormia ...
manifesta a ... de accu a ...
de ... et c. f. de ... et qual et
c. ... de venit ... q ...
... enormia et q fuit manifesta et
q ... q ...

... adeo de ... caritas
... cu remite / in ... g° ...
... adeo et inter genera virtutu
sut aliq q ... obiectu ... deu ut
fides spes et caritas / ... credit
et ... diligit / et ... spera...
obiectu morabu e bonu ...
... fidei e credere caritatis diligere
spei sperare / no credens ... recipit
adeo / no diligens ... recipit / Sz
desperans no recipit ... abcentia
divina ... / Infidelitas g° ...
... vitiu repugnans caritati
... ut in dilectoe vel odio.
... virtutes morales
sut carit et fide ... no ...
... vitia ... oppo...
no ... separato adeo Sz a bono ...
... virtutu
sut ... virtutes
... cardinales ...
... facilit et ...
... Alie sut
virtutes no ... et
vitia oppo... no sut ... principalia
adulteriu ... continentie q e
virtus ... no e ... imo
... alius cardinalis ...
... et ... dispens... / ...
epi ... dispensatu ... et ...
... et beneficiis q dis
... gferre ... de ...
... olim ... si no ...
... gferre ut ... de ...
no ... e habilitatus ...
... no ... principatu
Imo g ... et moribus / ...
... q no ... si ...
... Sz si ... et ...
... ut ... Sz ...
... no ...
... si ...
... a ...
... q sit
q ... facultate ... a lege ...
...
... Volo
q ...
...
... q no posse ...
... si beneficiatus
... q meruit de
... de beneficiis ...
... e ...

odiconmele
e iudicialr cui no p̄ iudicat dispe° c. di duo fo
et c. ut gstituetur. ꝝ similem
uio sit alcd gpeti fetuo sic no e destē

Inst. de qui. [illegible]

sit ob p̄ac dictu ꝙ accusatio no habet
mo gruatu ut gpse ꝝ soli pub [illegible] ꝙ hius
bide ꝙ dem fuit decla dudu [illegible]
dicit text ꝙ depoit no deb [illegible] oppar
de c. ad preseriā de crimie fal. et hic c.
c. ꝙ. t. est capio spalio clici de notar
de hec ad abolicom [illegible] neut ꝙ d[illegible]
tu actor ꝙ no p̄bit [illegible] ꝙ ij q
vine de esset tz ꝙ no tu ꝙ [illegible]
[illegible] [illegible] tu ꝙ no ponitur
[illegible] [illegible] de crime iudex [illegible]
de crimie clici uel [illegible] uel [illegible] it.
mitte no [illegible] de ch̄ quigt c. duo libri de
quo dicta de so que p̄ diligeti [illegible]
posse clicq cora laico reguiri tz [illegible]
ꝙ sit ut [illegible] et [illegible] ꝙ ij q
[illegible] legiste tz [illegible] ut [illegible] aut
et [illegible] quo et qui [illegible] crimen
[illegible] io [illegible] sic tz [illegible] glo [illegible]
de ch̄ quigt libri duo [illegible] glo
mouet [illegible] [illegible] loqui ꝙ [illegible]
[illegible] magis de mutu pe c. a et ij [illegible]
ꝙ no [illegible] [illegible]
[illegible] [illegible] de legit c. [illegible]
[illegible] ꝙ laicu cora laico [illegible]
[illegible] iudice [illegible] ꝙ [illegible] liber [illegible]
[illegible] reguer no [illegible] p̄ reg[illegible]
et [illegible] [illegible] allegant [illegible]
[illegible] dut° de [illegible] q reuerendissimi
[illegible] [illegible] [illegible] lit.
alle. [illegible] et dicebat ꝙ admirabat ꝙ
[illegible] no alle. illa [illegible] no [illegible]
alle. ꝙ corrigit [illegible] statuit c. de epi
et cl̄i [illegible] de [illegible] ij
ff de iudiciis [illegible] alias [illegible] ꝙ [illegible]
[illegible] no cog. de [illegible] [illegible]
[illegible] clicu ut clicus [illegible]
[illegible] [illegible] [illegible] canonu [illegible]
[illegible] [illegible] [illegible] dc
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ij q [illegible]
ꝙ [illegible] [illegible] [illegible]
[illegible] maior [illegible] qui [illegible]
et [illegible] no [illegible] c. [illegible] clicus no [illegible]
[illegible] [illegible] monet. alio.
[illegible] ꝙ reguetis [illegible] famet
[illegible] [illegible] [illegible]
[illegible] [illegible] ordinarii no poss [illegible]
[illegible] [illegible] ij [illegible] [illegible]

afirmat. ꝙ p̄ hat ess [illegible] hoc fiez ex
[illegible] ꝙ hat c. [illegible] [illegible]
[illegible] [illegible] et hac [illegible] ꝙ [illegible]
[illegible] no [illegible] clicus [illegible] di [illegible]
ordis [illegible] [illegible] canonici [illegible]
ob c. [illegible] de mutu pe ꝙ [illegible] dele° [illegible]
[illegible] no [illegible] ꝙ [illegible] ut p̄ [illegible]
[illegible] [illegible] expediatur p̄ [illegible] ꝙ [illegible]
p. de mutu pe c. [illegible] [illegible]
[illegible] ut pone ꝙ [illegible] c. ꝙ [illegible]
tus ꝙ dicebatur reguetis ꝙ [illegible]
[illegible] bolant adp[illegible] quedam ultra
[illegible] [illegible] a quo [illegible] c.
[illegible] ꝙ c. [illegible] c. [illegible] et [illegible] no
[illegible] requiri. In alia p̄ no [illegible]
te pt uel no [illegible] spiritualiter [illegible]
redat. [illegible] ꝙ reguetis. [illegible]
ꝙ forte [illegible] ad passiua [illegible] clicq
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] ut
[illegible] [illegible] [illegible] [illegible] et no
[illegible] [illegible] [illegible] ut [illegible]
[illegible] [illegible] debebat [illegible] ꝙ hic
no [illegible] de [illegible]
tenere [illegible] [illegible] [illegible]
[illegible] c. duo de ch̄ quigt libri [illegible]
[illegible] ad [illegible] [illegible] et [illegible]
dic ꝙ [illegible] [illegible] [illegible]
clicus [illegible] di [illegible] [illegible] de
mutu pe [illegible] de iudice [illegible] quotiens
et de iudiciis [illegible] termino [illegible]
[illegible] [illegible] reuerendissimi
[illegible] correctus [illegible] statuit c. de
epis et clicis [illegible] [illegible] et
[illegible] glo clicu reguetu de crime [illegible]
[illegible] iudice [illegible] et [illegible] no [illegible]
[illegible] ꝙ [illegible] [illegible] no infamat [illegible]
ꝙ [illegible] infamat ff de his [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] clicus ꝙ laicu [illegible]
[illegible] [illegible] et [illegible] infamat
et [illegible] libertus no [illegible] de dolo [illegible]
[illegible] ff de dolo [illegible] c. [illegible]
ꝙ aduersus [illegible] [illegible] cu
glo et [illegible] ij q ij [illegible] colligitur
[illegible] tz clicu no posse reconueniri et
[illegible] [illegible] maior de crime [illegible]
de ch̄ quigt c. duo libri et dic ut [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ꝙ de [illegible] [illegible]
iudi c. ij libri [illegible] [illegible]
[illegible] [illegible] [illegible] ꝙ [illegible] qui
no [illegible] [illegible] no [illegible]
de [illegible] [illegible] de [illegible] [illegible]

[illegible] ducentibus ex delicto ipso vel defectu non dispensatur a bigamia [illegible] et propter [illegible] si ex delicto alicuius quod tunc dispensat etiam in minoribus adulterio [illegible] et [illegible] si [illegible] in delicto ipso dispensat in adulterio et minoribus [illegible] quod fratribus dispensatur [illegible] in [illegible] quia [illegible] esse cum [illegible] quod non est in alius [illegible] dum [illegible] et [illegible] decorum decreta et quando [illegible] ut [illegible] uno libro aliud tollitur quod dispensat cum mutilato decreta et quantum [illegible] tollit quod nec dispensat cum quibus ille [illegible] filius [illegible] conquarum est quod [illegible] in maioribus adulterio ut dicit glossa et [illegible] in minoribus [illegible] prohibetur. Alii dicunt quod super [illegible] dispensatur super [illegible] non. Alii dicunt quod [illegible] et [illegible] in [illegible] dispensatur [illegible] prohibeatur ubi prohibet non [illegible] permittatur. Alia fuit [illegible] collatis [illegible] quod in adulterio et minoribus [illegible] prohibeatur in minoribus non [illegible] mutatur et hoc dicto [illegible] glossa non sequitur [illegible] quod dispensatur [illegible] dispositionem relaxare et quantum [illegible] dispensatur [illegible] quod est prohibitum a [illegible] principio [illegible] in [illegible] glossa [illegible] in fine si [illegible] quod [illegible] debet [illegible] non debet [illegible] in textu [illegible]

Cum vasallus [illegible] corpus [illegible] non [illegible]

[illegible] narrat [illegible] modestis [illegible] quibus [illegible] vasallos habebat [illegible] non quod non solum a laycis set etiam a clericis [illegible] lex feudorum ut vasallus coram domino [illegible] possessionem [illegible] pro delictis [illegible] de iure feudi [illegible] quod dominus feudi in [illegible] ordinarium inter vasallos iure feudorum [illegible] quod [illegible] iudicis ordinarie et est delicti [illegible] inter dominum et vasallum [illegible] vasallum [illegible] cognitio [illegible] apparens feudi [illegible] etiam [illegible] vasallo [illegible] dicunt quidam quod [illegible] superiorem dominum. Alii quod [illegible] dominus spoliat vasallum quia [illegible] aget vasallus [illegible] quod [illegible] Alii quod [illegible] et hoc [illegible] quia [illegible] honestate [illegible] agere [illegible] inter [illegible] quod [illegible] et [illegible] ubi autem clericus fuit spoliatus [illegible] restitutione quod privilegius est.

et [illegible] quod in [illegible] et si est dominus de spoliatione etiam [illegible] si quod de possessione. Alii dicunt quod coram ordinario agendum est remedio [illegible] ad restitutionem [illegible] et si laycus sit spoliatus [illegible] loquatur [illegible] spoliabit [illegible] coram quo agatur. Dicunt alii quod coram ordinario. Alii quod coram [illegible]. Alii quod [illegible] posse agi [illegible] feudorum [illegible] ad [illegible] et [illegible] legis feudalis [illegible] si non possit [illegible] feuda [illegible] agendum est coram ordinario et [illegible] pena [illegible] civili

Concludo [illegible] quod si vasallus [illegible] et etiam sit vasallus quod [illegible] dominum [illegible] coram [illegible] et [illegible] si vasallus [illegible] laycus [illegible] si est miserabilis [illegible] agi coram ordinario [illegible] si non sit miserabilis [illegible] et agitur [illegible] feudali agetur coram [illegible] si [illegible] si dominus vasalli [illegible] de feudo [illegible] quod dicit [illegible] feudum [illegible] a domino et coram [illegible] agetur [illegible] quod si reus negat rem feudalem vel [illegible] ab illo domino quod cognoscere. Alii dicunt quod dominus non [illegible] permittit [illegible] dominum [illegible] super hoc [illegible] de [illegible] si quis [illegible] aliena. Alii [illegible] et verius quod [illegible] quod a [illegible] cognoscere [illegible] ordinarius [illegible] quod vasallus [illegible] coram ordinario [illegible] vasallum et [illegible] feudale petit ad dominum remitti [illegible] quod ordinarius cognoscere an sit feudalis quo cognito remittit et cognosceret [illegible] ut de [illegible] [illegible] ubi agitur [illegible] et [illegible] deducitur [illegible] in iudicium [illegible] si directo ageret quod tunc [illegible] dominum [illegible] si vasallus [illegible] et litigat super illo feudo quod cognoscere [illegible] quod [illegible] vasallus [illegible] et [illegible] quod si agatur [illegible] super feudo [illegible] est [illegible]

dnm cognosse data pr q obliga
pr qo feudale ff retri. addnm
vn et si agatur crimia l feudali
tc cognosce et i ponet solu illa pe
na q i ponit l feudali. Si aut a
gi cora ordinario tut i ponet or
dinaria penam p crimie ut corporale vl
alia. ¶ Et si sit qo i ter dnm et
vasallu dic q retrite ad copares
et erut gpares eqles i gdu ut
sit qo i ter dnm et vasallu comitem
comitem alij vasalli comites
cognosce et sic de marchionibus et
alibus. ¶ Et si no sint copares
in d. retrendu ad arbitros sicud
cu eps litigat cu clrico xj q .i. si eps
eps. ¶ Et inquatu possit dno et vasall
querere q no cognosceret gpares
dic q sit ¶ Et feus i vasallo vl cor dic
q sit al sarceret ius dui salno qo
si impator essz i feudaco tut de cibus
cognosce inter subditos i qz tut h
ordinaria generale licz infeudata
¶ posse dic in quo loco debeat dno
cognosce. dic q si hz certu territoriu
potit i quoh loco kathedra collocare
potit i quoh loco ... et
de offo ar cu eps libi paret est
tc de vno loco ad aliu dumo sit
tutus et no nimiu distns ¶ posse
est dic an citus vasallus possit
cora dno de crimie conveniri dicd
dicd d' ti pxo c veru ¶ Et si va
sallus gmissit i feudu aliq pte feu
di vel aliq lio i feudo qd cognosce
dic q si gmis i feudu cora illo fiet
q erit feudu cora dno feudi. Si
aut na i feudi tut agetur cora
ordinario. ¶ Et adq appellabit dic
q dno i terra suo gpares i suo h
impatoz pl concessa a lege frederici
ut i libro feudoru de feu no alie
l. i perialem et ro ab eis appellatur
pxi9 ... superior dno feudi. Si appll
iudex ordinarius i cuius territorio
e res feudales de qua agr c. de
iudi. l. fi. Si aut agr de iuria
qu passus e vasallus a dno vel
eo appllr iudex ordinarius rei et
g dari ij q. vi aternosz vel dic q
ff appllr iudex sub cuius territorio
sita e res feudalis est si agit

de iuria vel i terdo. Si aut agat
de i iuria no i rebus feudalibus set
extra tut no agetur cora dno s cora ordina
rio. dic est si agat q. dnm de iuria ssa
est vi feudale vel no tangeretur
fidelitate vel eq no agetur cora dno
nisi agatur ad amissioz feudi et h i
libello dez exprimi tut n. core gparib
feudi agetur ad re recuperanda ad ius
q ibi h dno diminuedu et si app
ad ordinariu dui app. ff admuiri
l. assumpto q si nec possut litigates
mutuo gss dimitte dnm i ty pxo qo
trapmissa dno aut et vasallus pnt
iudicem coparem dimitte qz q hat
... feudi ... agit ... de ... ...
copares sed dno eligz dnm et vasall
aliu. Et alij dut q gpares eligit ...
duos q ... c impator data a lege
c pnt dare ... ... homi di
c. ij et iij et dicut pares q ... ...
sit vasalli. Vel si feudu e coltu pa
res sut coitcoitatis vel q ... feuda
sunt b que dicit sut i t. b qo e dno
feudi tm nec ab h impatoz vel no
c i feudata impator ... si ab h
c i feudata impator
ordinaria vel c i feudata impator
q tut de cibus cognosceret et ab eo
appllr q impatoz infeudatur ¶ Et ideo
sut qui ab ducis comites barones
q impatoz sut ab i pastore ¶
Colli ... i pma de qae int dnm a
vasallu de re feudali q gfiteri va
sallus feudali cognosset copares
feudi ¶ gpares feudi dicu q
feudi ... vel q ... sut vasalli
... feudi vel q ... sut vasalli
... eligz dno dnm vasallus aliu vl
... gpares ... dabit duos ... si
agatur inter vasallos de re feuda
li ut feudali ff cognosse dno nec
paterit vasalli mutuo gss dimit
te dnm et eius iudicium s dno et
vasallus pnt dimitte gpares cu
... sit ... iudicem ¶ Contra si
agitur de re feudali no ut feudali
ut pate rei iudicatae tut cognosse
ordinaris quo vel rei no dno ni
sit iudex i ca sua tunc feudalis
et hac si exprimatur i libello cu ex
cusaria feudi ¶ Sectus si agat ge
nerat q tut cognosse dno an.
sua sit impator ¶ Et si agat i t
dnm et vasallu de iuria gfesso

ab c. ex parte [illegible]

in re feudali vel de fidelitate cognoscit compares
si agatur ad penam que in pari [illegible] feudum
aut contra vasallos de iniuriis commissis
circa feudum tunc dominus [illegible] si agatur
ad penam ordinariam ordinarius
Octavo si dominus feudi est ordinarius
vel inferior sit infeudatarius tunc de dictis
cognoscit et penam ordinariam imponet
Nono si vasallus clericus spoliet [illegible]
clericus de spoliatione cognosceret quia sa-
crilegium committitur et crimine ecclesiastico
Decimo si agitur a domino feudi aliter [illegible] superior
[illegible] si a comparibus feudi [illegible] si
vasallus infeudet cognoscit [illegible] vasallus
[illegible] non [illegible]
verborum [illegible]

Sufficit actionem [illegible] supplevit apponere

nō

Et [illegible] in principio ubi [illegible] hinc
de [illegible] et fuit [illegible] dicta illa
ita [illegible] in antiqua [illegible] legatum de [illegible]
et [illegible] legatum de [illegible] et
dicit quod cogebat eos exprimere nomen
actionis in libello [illegible] si hoc [illegible]
quia [illegible] cogebat [illegible] mandare [illegible]
[illegible] nomen actionis [illegible] fuerunt [illegible]
[illegible] mandat iudicibus quod [illegible]
[illegible] [illegible] de [illegible]
veritatem [illegible] dicit quod si actionem [illegible]
experiuntur ff. de administratione tutorum [illegible]
[illegible] in [illegible] sufficit
apponere factum et veritatem rei [illegible]
[illegible] exprimendo actionem [illegible] vel
[illegible] dicit [illegible] et [illegible] exprimenda
[illegible] de quo dicit [illegible]
[illegible] de actione [illegible]
[illegible] quod nomen actionis sit ex-
primendum et [illegible] quod non [illegible] formu-
la [illegible] de formulis sublatis l. una
[illegible] sit exprimenda actio
[illegible] cognoscatur [illegible] actionis
[illegible] vel [illegible] et [illegible]
[illegible] ff. de edendo l. [illegible] nomen autem actionis
[illegible] experiendum quia si li-
bellus [illegible] formetur [illegible] qui
[illegible] actionis quia [illegible] aut [illegible]
[illegible] narrato oritur una sola actio et [illegible]
[illegible] cognoscitur ut l. certum ff. si certum petatur
ff. de rebus dubiis l. quotiens [illegible] media
[illegible] et tunc si competit ad [illegible]
[illegible] electionem [illegible] est
[illegible] l. i. [illegible]

nō

9o

competens ad conclusionem ff. de liberis et postumis
l. gallus [illegible] si competit
[illegible] et una generalis et alia specialis
[illegible] specialis ff. de l. iii. l. [illegible]
legatum et l. [illegible] legato [illegible] et
legatis si [illegible] generalis vel specia-
lis et tunc si [illegible] altera [illegible]
[illegible] tunc [illegible] ut l. gallus [illegible]
[illegible] aut [illegible] colligi tunc si
[illegible] altera [illegible] superfluum et [illegible]
alia non [illegible] inepta [illegible]
[illegible] superfluum [illegible] l. i.
ut si testator legavit [illegible]
[illegible] actio [illegible] libello
[illegible] testatori legavit [illegible]
testo [illegible] remedia [illegible]
[illegible] tunc superfluum
verbum [illegible] aut [illegible]
[illegible] superfluum tunc [illegible]
[illegible] superfluum [illegible]
[illegible] tunc sup-
fluum [illegible] aut remedia [illegible]
tunc [illegible] superfluum [illegible] remota [illegible]
[illegible] superfluum [illegible]
[illegible] libellus [illegible]
[illegible] actionis [illegible] media [illegible]
[illegible] l. edita
c. de edendo et [illegible]
laurentii [illegible] l. edita
c. de edendo [illegible]
[illegible] non [illegible] actio
[illegible] sufficit apponere factum et [illegible]
[illegible] Ja. bal [illegible] et [illegible]
[illegible] una vel plures [illegible]
ut [illegible] glo. et [illegible] Ja. but.
[illegible] et [illegible] factum [illegible] clarum
sufficit [illegible] actionis [illegible]
[illegible] Jo. [illegible]
actiones non exprimendas [illegible]
[illegible] Jo. [illegible]
et [illegible] exprimendas et [illegible]
[illegible] non [illegible]
[illegible] in [illegible]
[illegible] exprimere [illegible] sufficit [illegible]
[illegible] aliqua [illegible]
[illegible] decipi posse [illegible] non exprimat
[illegible] sufficit [illegible] ff. de [illegible]
[illegible] l. i. et credo hoc [illegible]
[illegible] glo. [illegible] leges [illegible]
[illegible] subtiliter [illegible]
ad simplices [illegible] subtiliter
[illegible] [illegible]
[illegible] glo. [illegible] alias [illegible]

nō

9o

q de iure civili e appo[s]ita actio q[uia]
sit actio nomine experitur apud nos [illegible]
cludit q[uia] ind[ebi]tu volunt q no h[abe]nt actio[nem]
no[n] poss[unt] experiri no[n] proinde i fiere q
dicat no[m]i[n]e actionis exprimi d[e]b[e]t [illegible]
[illegible] et [illegible] i le edita [illegible] e de edendo
tenet contra [illegible] de [illegible] et p[er] et
[illegible] edita q[uia] est de iure civili
suffit apponi factum ex quo i surgat cogn[itio]
actionis [illegible] dicens e ne [illegible] inter
ius civile et civile dic quantu ad for-
mulas actionis n[ota] e [illegible] q[uia] [illegible]
sit e de [illegible] sub[illegible] l[ege] [illegible] quod
tu ad no[m]i[n]e actionis [illegible] e exprimendum
[illegible] quantu ad appo[situ]m factum ex quo i surgit cog[nitio]
an actio sit [illegible] dicta e [illegible]
ius civile et civile q[uia] [illegible] de his
no[n] civile [illegible] quantu ad fructus et
[illegible] [illegible]

Cois dio [illegible] pub[lic]e [illegible]
liquos et [illegible] de maiori [illegible] ut
de resp[illegible] et de excep[tione] [illegible]
[illegible] debito [illegible] glo[ssa]
q[uia] [illegible] no[n] [illegible]
[illegible] aliud [illegible]
modu [illegible] de [illegible]
[illegible] q reus [illegible] sive i indico
de excep[tione] cu[m] [illegible] [illegible] [illegible]
erit i relig[illegible] et [illegible] i [illegible]
[illegible] q[uo]s quosdam [illegible]
dic q q[ui]cu[m]q[ue] no[n] [illegible] q[uia] sit mortui
[illegible] factoe [illegible] agit[ur] q possessores
bonorum [illegible] ff de bonis poss[essionis]
[illegible] q de [illegible] dicit qui
[illegible] q[ui]cu[m]q[ue] no[n] [illegible] q[uia] no[n] [illegible]
de calupnia xxij q v [illegible]
q[uia] [illegible] de iura[illegible] honoris [illegible]
[illegible] hominis p[ro]hibetur [illegible] de
mo[illegible] vide q [illegible] de resp[illegible]
et dici[illegible] [illegible] cu[m] [illegible]
[illegible] [illegible] communicare [illegible]
[illegible] cu[m] [illegible] no[n] [illegible]
[illegible] q dabit [illegible]
[illegible] no[n] p[ro]hibitus co[m]municare
q [illegible] xi q iij [illegible]
vel dic q ex quo p[er]missu[m] [illegible] et
[illegible] potest [illegible]
[illegible] q [illegible]
age ut q[uia] spoliatur [illegible]
[illegible] potest age ut [illegible] ad

mira sua [illegible] q [illegible] i p[ro]dicatur
i [illegible] dando q [illegible] q[uia] [illegible]
superiore [illegible] de [illegible] de
excep[tione] [illegible] superius audit[ur] [illegible] agens
[illegible] no[n] [illegible] de [illegible] de
[illegible] no[n] [illegible] no[n] [illegible]
i e cu[m] [illegible] de [illegible] q[uia] [illegible]
de [illegible] ubi de [illegible] actus
ab [illegible] recipiendi [illegible] adhuc [illegible]
[illegible] de e cu[m] [illegible] de [illegible] i
cu[m] ab [illegible] vel si aga[tur] de i [illegible]
[illegible] [illegible] de cu[m] [illegible] et
in regno anglie [illegible] ut

[illegible] mi[illegible] [illegible] q dat [illegible]
est layci [illegible] debet [illegible] legu[m] et [illegible]
[illegible] q[uia] [illegible] subalternatur [illegible]
[illegible] de [illegible] [illegible] vide
[illegible] i [illegible] [illegible] [illegible] [illegible]
[illegible] no[n] de [illegible] de quo[illegible]
de [illegible] e [illegible] libri i [illegible] glo[ssa] [illegible]
[illegible] erat regia ut [illegible]
[illegible] de furto [illegible] iudice [illegible]
[illegible] i [illegible] no[n] q iudex [illegible]
de [illegible] clerici cognosc[illegible] de quo
[illegible] et no[n] de [illegible]
[illegible] e [illegible] libri glo[ssa] [illegible] ut
no[n] [illegible] de [illegible] e [illegible]

[illegible] index [illegible]
colleg[illegible] [illegible]

[illegible] instruit [illegible] et [illegible]
[illegible] negocii i [illegible] significant [illegible]
[illegible] perturbant et [illegible] de e cu[m]
[illegible] de [illegible] q[uia] no[n] [illegible] [illegible]
[illegible] cu[m] alia [illegible] ut ibi [illegible] dicitur
quida[m] q abba[illegible] erat [illegible] cu[m] [illegible]
[illegible] [illegible] dic [illegible] q erat [illegible]
et [illegible] ut [illegible] in anglia
[illegible] ij de [illegible] no[n] [illegible] ff de [illegible]
q[uia] [illegible] minore [illegible]
[illegible] tutoris [illegible] q [illegible]
abbas perturbant no[n] [illegible]
[illegible] [illegible] de [illegible]
[illegible] de resp[illegible] [illegible] glo[ssa] i [illegible]
[illegible] [illegible] [illegible]
[illegible] remittit
ad e [illegible] ut ibi [illegible]
fuit [illegible] qui dicebat [illegible] q negoci[illegible]
erat grande q no[n] [illegible]
[illegible] de [illegible] q [illegible] quanto [illegible]

Clerici [illegible]
[illegible] cu[m] [illegible]

q[uaestio]

[illegible]

q[uaestio]

no[ta]

op[positio]

op[positio]

op[positio]

op[positio]

Laus divisio ii ubi [illegible] tunc [illegible] de [illegible]
eo cum non absolvere, et [illegible] decadit quod ubi [illegible]
clericos fuit largi xxi q. i. dio [illegible] constitutos
in ordine vel religiosos aut quevis [illegible]
et [illegible] tonsure et cetera et qua cum [illegible]
hoc ordine dicit [illegible] textum quod constituti
in minoribus [illegible] dari de quo non. de clericis
eod. [illegible] c. ii. [illegible] non aspecti [illegible]
[illegible] soluta est [illegible] non esse vetitum
[illegible] ad gladium quale [illegible] spiritua-
le [illegible] credentes de [illegible]
[illegible] de [illegible] c. ii et [illegible]
quod ipse et eius gladius [illegible] certe [illegible]
[illegible] spirituale [illegible]
[illegible] dicunt aliqui [illegible] maiori
ut [illegible] et [illegible] alii [illegible] prelatis
et [illegible] hos. [illegible] dicitur [illegible] ab
[illegible] signum [illegible]
[illegible] cum [illegible] et [illegible] in fa-
tie [illegible] et [illegible] hoc [illegible] cum
[illegible] debet et hoc
[illegible] maioris [illegible]
[illegible] licuit [illegible] potentia
ab [illegible] dicunt aliqui [illegible] tu
dicit quod non est [illegible] quod [illegible] non
[illegible] de quo [illegible]
[illegible] in [illegible] de [illegible] c. [illegible]
et [illegible] de [illegible] m. q. iii [illegible] qui [illegible]
[illegible] dicitur [illegible] no-
torium [illegible] possit [illegible]
[illegible] quod non [illegible]
[illegible] quod [illegible] non
[illegible] clerici [illegible] clerici
et c. [illegible] depositum non
[illegible] crescit
te [illegible] in [illegible]
[illegible] ad [illegible]
[illegible] de c. [illegible] clerici [illegible]
[illegible] in [illegible] ma-
te [illegible] ii. de le-
[illegible] de [illegible] ubi [illegible] sola de-
[illegible] sufficit dicit [illegible] quod sola
[illegible] non sufficit ad penam in [illegible]
[illegible] ad [illegible] sunt
[illegible] quod notoria non [illegible]
[illegible] manifesta et c. de manifesta
[illegible] dicit notorium [illegible]
quod [illegible] inducit notorium [illegible]
quia quod non [illegible] alia [illegible]
[illegible] notorium dicit [illegible]
[illegible] reperiant clerici

mentione [illegible] detinet [illegible]
sit notorium [illegible] de [illegible] a lay-
cis in [illegible] notorium [illegible] in [illegible]
[illegible] dicit quod non [illegible] clerici [illegible]
notorium [illegible] vindictam quod [illegible]
[illegible] plus [illegible] non vindicta non [illegible]
[illegible] ut [illegible] clerici et [illegible]
depositi [illegible] deponi
[illegible] criminibus
[illegible] clerici [illegible]
sufficit depositos [illegible]
[illegible] depositi sufficit depositos ut
ubi [illegible] delicti [illegible]
[illegible] ad [illegible] in q. [illegible]
[illegible] q. [illegible]
[illegible] ut [illegible]
quod [illegible] habet [illegible]
[illegible] magis [illegible] de [illegible]
dari [illegible] quod [illegible] alii [illegible]
clericus non deponitur [illegible] clerici
[illegible] de [illegible] in [illegible]
[illegible] quod [illegible]
[illegible] dicunt quod non [illegible] c. ii
[illegible] nomine
debet [illegible] de [illegible]
[illegible] non [illegible]
[illegible] non [illegible] iudici non
[illegible] tradatur [illegible] dominium [illegible]
[illegible] de [illegible]
[illegible] quantum [illegible]
[illegible] degradatus [illegible] non
[illegible] non [illegible] dominium et [illegible]
[illegible] verbo [illegible] tradere
glo. a. ubi [illegible]
[illegible] et [illegible] ii [illegible]
in [illegible] remissio [illegible]
[illegible] de [illegible] c. iii [illegible] dicunt
aliqui [illegible] constitutos in [illegible]
quod [illegible] quod [illegible]
[illegible] clerici de [illegible]
[illegible] c. [illegible]

[illegible] imperium quod [illegible]
[illegible] qui [illegible]

[illegible] quod non. de [illegible]
in [illegible] glo [illegible] in [illegible]
[illegible] hac [illegible] hos
[illegible] vigore [illegible] mandati [illegible]
[illegible] in [illegible] dixisset [illegible]
[illegible] vel [illegible] glo [illegible] summam
[illegible] hos [illegible] et [illegible]
[illegible] quaerebat vigore [illegible]

p hoc respondetur omnia qui[d] dequo in glo. et p hoc aut[enti]cas ([illegible]) patet p[er] ex[em]p[lo] filius [illegible] medius p[er] eo[rum] ex p[ri]mis [illegible] unus fit de hoc [illegible]
[illegible] in latin aldous oz te [illegible] in revere ad ea q[uod] dixi de respectu sig[nifica]te et pa[tet] in r[ubrica] io q[uod] in uno de re[illegible] libi in novella et fit [illegible] mitte [illegible] i lite pendente moriatur [illegible] et alter subrogetur hoc non [illegible] cum succ[essio]ne [illegible] non [illegible] in [illegible] [illegible] tamen q[uod] de bu[illegible] ficialibus [illegible] ut [illegible] i n 2 ii libi et [illegible] novi libi [illegible] tu[illegible] [illegible] exp[ri]me et si non habet successione[m] [illegible] tunc concedet cum [illegible] ff [illegible] in medium [illegible] vi e [illegible] non transit in successione[m] in re est si ho[illegible] sit [illegible] et [illegible] in ea ff de bi[illegible] et [illegible] ar l. i q[uod] p[re]te[illegible] in mo est si agentur reali esset opus nova actione q[uod] novum possessorem ff de p[illegible] [illegible] l pte nisi esset [illegible] [illegible] in que bn transit ff de re[illegible] de l si is qui et l si aut q[uod] [illegible] [illegible] [illegible] bi e [illegible] et [illegible] in re q[uod] e [illegible] nova actione q[uod] novum possessore[m] n[on] [illegible] acce[illegible] appellatione [illegible] videtur q[uod] [illegible] [illegible] [illegible] q[uod] possit agi petito[rio] et possessorio et [illegible] si non [illegible] de [illegible] agi possit de cau[illegible] et [illegible] c i et ii [illegible] ut ibi [illegible] not[andum] [illegible] in q[uod] a[illegible] [illegible] q[uod] si ad agat [illegible] aliq[ui]s [illegible] aliq[ui]s [illegible] q[uod] succede[illegible] [illegible] lite et si non [illegible] succe[illegible] [illegible] [illegible] tunc [illegible] vel alius adq[ui]r[illegible] de respe[illegible] [illegible] [illegible] non [illegible] nisi cum [illegible] agat nova [illegible] q[uod] [illegible] non [illegible] in mo ag[illegible] de iure in [illegible] [illegible] non succedit iuri alio[rum] de [illegible] tamen [illegible] ut [illegible] [illegible] pen[illegible] libi et [illegible] [illegible] exp[ri]me [illegible] videtur [illegible] q[uod] [illegible] [illegible] non [illegible] transit de [illegible] nisi in [illegible] [illegible] [illegible] de [illegible]

[illegible] li [illegible] vel medius q[uod] agunt in domus [illegible] ff de [illegible] l i in te vel [illegible] in [illegible] ff de [illegible] l [illegible] [illegible] [illegible] marit[illegible] [illegible] [illegible] et si [illegible] de mentis [illegible] lex [illegible] c de adulte[riis] [illegible] ibi absente accusatione [illegible] de [illegible] [illegible] accusatione [illegible] [illegible] [illegible] q[uod] non [illegible] reliqui in [illegible] [illegible] respectu non p[otes]t respice[re] [illegible] de aut [illegible] [illegible] tolli [illegible] de [illegible] [illegible] [illegible] [illegible] q[uod] a [illegible] de iur[illegible] [illegible] [illegible] de [illegible] ad [illegible] de [illegible] c i et ii et hoc casu non queritur succ[essio] [illegible] respice[re] [illegible] et tunc [illegible] sit [illegible] de [illegible] de [illegible] succe[illegible] et tunc queritur ii q i in p[ri]mis [illegible] q a [illegible] iii q [illegible] hoc quippe de [illegible] [illegible] non sit [illegible] de succ[essio]ne et tunc [illegible] non e in [illegible] [illegible] e [illegible] [illegible] [illegible] non e in [illegible] [illegible] [illegible] et tunc respectu [illegible] [illegible] quo[illegible] et placuit [illegible] de resp[illegible] [illegible] not[andum] [illegible] de [illegible] [illegible] [illegible] [illegible] in quibus [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] non e in [illegible] [illegible] [illegible] [illegible] [illegible] q[uod] [illegible] non e in [illegible] [illegible] et tunc [illegible] io de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] in respectu [illegible] [illegible] queri [illegible] de [illegible] [illegible] q[uod] [illegible] et [illegible] [illegible] queri [illegible] [illegible] non [illegible] [illegible] ut ibi [illegible] et [illegible] casu [illegible] [illegible] [illegible] [illegible] in [illegible] [illegible] [illegible] [illegible] casu [illegible] [illegible] in c [illegible] [illegible] [illegible] [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible] queri [illegible] in c [illegible] [illegible] non [illegible] [illegible] et si in [illegible] non [illegible] [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible] q[uod] ibi [illegible] [illegible] in [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] q[uod] e [illegible] [illegible] si [illegible] [illegible] [illegible] [illegible] casu [illegible] [illegible] de [illegible] [illegible] [illegible] et [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] de [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] de [illegible] [illegible] [illegible]

et hic c. apud lau. cum gos. dicit non exit ubi damasus [illegible] egi [illegible] bella [illegible] corror [illegible] de rescript. dele [illegible] non [illegible] iudex [illegible] libel principi [illegible] [illegible]

[illegible] durat [illegible] data [illegible] de of [illegible] glo [illegible] apponebatur [illegible] qualificata [illegible] et ubi [illegible] speciale [illegible] male [illegible] glo [illegible] rescripta [illegible] ut [illegible] [illegible] dicit [illegible] non [illegible] potuit agi [illegible] [illegible] [illegible] agere [illegible] de rescript. [illegible] non mandavit nec [illegible] ut [illegible] et ubi [illegible] alii dicit [illegible] gof [illegible] duas [illegible]

De privilegiis sedis apostolice [illegible] papa [illegible]

[illegible] de rescript. [illegible] non [illegible] duplici [illegible] [illegible] glo dicit gof [illegible] [illegible] cognosse [illegible] verba [illegible] dubitare [illegible] [illegible] [illegible] cognosse [illegible] subreptitium [illegible] de rescript. [illegible] nel non [illegible] [illegible] de [illegible] [illegible] [illegible] cognosset de crimine [illegible] [illegible] cognosse [illegible] [illegible] cognosse [illegible] de re [illegible] de [illegible] rescript. [illegible] [illegible] [illegible] dubitetur

nel [illegible] et [illegible] non [illegible] [illegible] de quo dicit ut de [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] cognosse [illegible] de rescript. [illegible] [illegible] non [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] dubitare [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] de [illegible] non [illegible] [illegible] [illegible]

ni du rex i mo mior rege
brit coror d. qe et re aioz
A hec dr. gnem q q suppo gri
dz metho elige q e filij q q
gregado elige s. polita xvi q
vi. 99 gno de elc c. qr. B dilz
hec p tnie monedo ad de ccio gui
dicebat m q mali cog noverit
ymilayam q e extirta fuit
miles qui amea damistitis
a duo tr hos infragetur a
q dicat peticur ir mil videbat
i actore qnio fauori pur ma
fmas g actis co dirigitur
et hos ptr prec hes lege m abro
gata q dahir patentis alt
q alt abrogatam inam ut

[illegible]

Vis [illegible] mentis

[illegible] spectat ad iudicatum oratie et de legatis p[er] delegatis [illegible] de iniuriis [illegible] quod violacio solum dicitur [illegible] hic autem cum voce violacionis [illegible] alius [illegible] nullitas inducitur [illegible] gen[er]e [illegible] hic fuit [illegible] generis demissionis [illegible] ex verbis [illegible] hic et [illegible] et so[lummodo] [illegible] de [illegible] libri [illegible] requiritur.

Demissio [illegible] que tendit solum ad primam [illegible] hic et [illegible] de testi[bus] [illegible] si peccavit et [illegible] ad hanc [illegible] admittitur [illegible] et [illegible] pena hic [illegible] solum tendit ad primam [illegible] una [illegible] monitione solum et [illegible] demissio [illegible] cum [illegible] sed [illegible] mortis [illegible] ad [illegible] et [illegible] ad quos [illegible] ad primam [illegible] demissio [illegible] de [illegible] caritatis [illegible] [illegible] fiat [illegible] cum [illegible] admittendum [illegible] [illegible] ad primam [illegible] non [illegible] ad primam [illegible] [illegible] [illegible] quarto [illegible] [illegible] reponitur [illegible] [illegible] publica et [illegible] de [illegible] de [illegible] que differt [illegible] ad penam et admittitur [illegible] publica et notoria [illegible] ad [illegible] et [illegible] admittitur [illegible] alius remedio admittitur [illegible] admittitur [illegible] obligatum [illegible] non fit de iure [illegible]

[illegible] differt [illegible] que [illegible] tendit ad [illegible] et ipsa admittitur [illegible] in foro [illegible] expeditur de plano [illegible] si non [illegible] ff. de [illegible] l. [illegible] de plano ff. de [illegible] l. [illegible] de [illegible] vel [illegible] ut [illegible] vel [illegible] in foro [illegible] de plano cum expeditur ut hic [illegible] admittitur [illegible] non [illegible] admittitur [illegible] vel [illegible] vel [illegible] non [illegible] vel [illegible] in foro [illegible] ut [illegible] vel [illegible] admittitur [illegible] et [illegible] ut differt [illegible] ad [illegible] ut [illegible] de plano et [illegible] ut hic et [illegible] ad [illegible] de [illegible] et differt [illegible] ad hanc admittitur [illegible] publica [illegible] ad [illegible] de [illegible] demissio [illegible] publica [illegible] de matrimonio [illegible] demissio [illegible] et [illegible] ad [illegible] [illegible] defendere [illegible]

[illegible] ... in [illegible] ... quod sic videtur in [illegible] ... potuissent demum ... iudicari et privari si fuissent destituti quibus remedio ordinario ... [illegible]

[illegible] ... supponit [illegible] ... principatus ... ordinis ... essentialiter ... differentibus ... [illegible] ... non erunt ... [illegible] ... mala ... [illegible] ... principatum mala ... [illegible] ... spiritualium ... [illegible]

[illegible]

... ad ministeria principatus yconomica ... ut [illegible] ... principatus ... spiritualibus ... regimine ... celesti ... [illegible] ... corporalibus ... celeste nobilissima ... spirituali ... nobilissimi spiritualium et corporalium ... [illegible]

[illegible]

[illegible] qui [illegible] non [illegible] possidet [illegible] etiam [illegible] ordinabitur [illegible] male [illegible] hoc [illegible] verum [illegible] non [illegible] debitum [illegible] ordinem [illegible] et [illegible] nisi [illegible] possessione translata [illegible] possessionis [illegible] non [illegible] competunt [illegible] non [illegible] admitti [illegible] repugnans [illegible] admissi [illegible] possidebant [illegible] voluit [illegible] adversario nisi [illegible] dolo [illegible] possessorie [illegible] et [illegible] capitulo [illegible] de possessione et [illegible] dolo et [illegible] possessione [illegible] dominus [illegible] dolo [illegible] possidet [illegible] non [illegible] et [illegible] ago [illegible] non [illegible] et [illegible] actione [illegible] non [illegible] et [illegible] supplenda [illegible] non [illegible]

[illegible] non [illegible] dominium et [illegible] restituat et ago [illegible] dominum [illegible] ut supplenda non [illegible] non possidet [illegible] supplendum [illegible] actio [illegible] possidebat [illegible] possessionis [illegible] possidebat [illegible] et [illegible] possessione [illegible] de [illegible] non [illegible] agebat actionem [illegible] possidere [illegible] petebat [illegible] actio [illegible] possessionis [illegible] possessione [illegible] non [illegible] translata possessio [illegible] non [illegible] possessor [illegible] translata [illegible] qui non possidet nec dolo desiit possidere [illegible] translata [illegible] non [illegible] non possidet [illegible] actio [illegible] et [illegible] non [illegible] tollerabile [illegible] actore [illegible] non [illegible] actor [illegible] possidet [illegible] non [illegible] petitio [illegible]

nouatio(n)e asserens q(uod) deposui
apud te tu negas depositu(m) s(ed)
c(on)tendis c(om)modatu(m) fuit nec p(ri)ma
ergo et ita vult dic(er)e q(uod) sic c(on)t(ra) bo-
na fide (et) ad hoc dicit ff de c(on)dict(ione)
creditur l(ib)rum nec hoc est c(on)tra
h(oc) no(n) hon(us) accus(atio) depositi depositu(m)
ff de fide ius. l. tutor et credit s(u)p(r)a
e(odem) t(itulo) de actu et pe q(uod) s(i) verum
c(on)tendis s(ed) exigisset depositi et p(ro)bass(et)
commodatu(m) et re(us) n(on) fateatur ut dic(itur)
s(u)p(r)a e(odem) ti(tulo) de p(ri)me (con)cla(usi)o(n)e q(ui) q(uo)d
hoc tit(ulo) nouatio i(n) di(cta) et
l(ex) c(on)dep(na)... sic da(n)t p(ro) exequtione q(ue)
ut re(m) missa q(uod) actor c(on)uicit
re(sti)tutu(m) ff si certu(m) pe(tatur) l. si p(ro)p(ter) p(ri)-
me et p(ro)in(de) dicu(m) c(on)stabit ut c(on)cep(it)
q(ui)s ... ff q(uod) cu(m) eo l. i. ... sic p(ro)cedere r(e)c(te):
no(n) r(ati)o(n)e triplicato(rum) da(m)nu(m)
ff. de acq(ui)r(enda) re(rum) do(minio) l. cu(m) i(n) corp(us) sic nec
error actoris i(n) p(ro)ducit p(ri)m(u)s et iudex
p(ro) p(ri)mis cu(m) ff(ec)e(rit) do(m)i(n)iu(m) lic(et) na(ture) i(n) s(ta)tu q(uo) b(e)n(e)
alie(n)e no(n) liceat q(uod) s(i). (con)te c(on)stat h(oc) ut ce-
debitore exh(i)batio(n)e i(n)dices g(ener)a(li) i(n)qu(id)
no(n) s(e)qui c(on)di(cti)o(n)es ... actio cu(m)
s(u)p(er)e(st) q(uod) no(n) e(st) ut agi valeat ut ita
s(u)p(r)a q(uod) ff de pac(tis) l. si vnus q(ui) p(ro)te et
l(ib)ere sic ff de pac(tis) l. c. vno libi ... i(n)g(enuita)tem fac
de deposito i(n) p(ri)n(cipio) c. vno libi p(er)eat l. p(ro)te ff iudicatu(m)
ff si p(ro)p(ter) he(re)d(itatem) pereat l. p(ro)te ff iudicatu(m)
sol(ui). l. cu(m) q(ui)ribat v(er)o s(u)p(r)a i(n) t(em)p(or)e
... i(n) vnica no(n) c(on)stat i(n) alia s(e)c(un)d(u)m actu(m)
sic actio alia co(n)fir(mat) s(e)c(un)d(u)m l. ut s(u)p(r)a
ff co(m)u(n)i diuidendo et c. l(ex) vel(ut) de s(u)p(r)a
ff. credo verum q(uod) deficit i(n) actu obligat(i)o(n)is
q(ue) ad eu(n)d(em) s(u)p(er)ueniat ff de actu et obli-
g(ationibus) l. q(ua)cu(m)q(ue) ff de neg(otiis) gest(is) l. s(i) p(ro)p(ri)i(s)
ff de institu(ta) l. q(ui) habebat ff si me(n)sor
f(alsum) mo(dum) dix(erit) l. i. ... q(ui)a c(um) actio p(ro)-
ficiat q(uod) ... isti dic(unt) q(uod) si f(ac)tu(m) fuit se(questra)
tio(ne) (con)p(ar)et ... ... purificata (con)dictio(n)e
ut di(cit) ... sequestrati ... actio
c(on)petebat ... sequestratu(m) ... multis
si (con)dicto no(n) erat purificata ... ...
... quo m(od)o ... purificatas
... c(on)petebat g(ener)a(li) q(uod) ... actio de
dicto c(on)petebat ... vel ... verbis
dolo ff de do(lo) l. i. vel ... verbis
... sequestratu(m) si no(n) fuiss(et) f(ac)t(u)m sequestr(um)
i(n) actio c(on)petebat di(cit) q(uod) negatoria
possess(oria) ... no(n) possess(ori)i d(e) q(ui)b(us)
... albat ... ...
dictu(m) de ver(borum) s(ignificatione) ... possess(ionem) vel
possidet p(er) sequestr(em) ... possess(ionem) ...
sequester possidet glose et ... ...

... de ar(bitris) d(icit) q(uod) i(n) voluntaria sequestra(tio)ne
poss(essi)o ... i(n) nota ... vbi c(on)stat
q(uod) actor ... q(uod) ... possessio(n)e ff
de acq(uirenda) pos(sessione) l. q(ua) ... q(ui) ... actor
i(n)duc(tus) no(n) possidet ... nouatio
voluntaria q(ue) perimit ... sacra(m)e(n)ta
q(uod) ignora(n)ti no(n) nociua ff de nouatio(n)e l.
... ...
... ff qui satisdare cogu(n)t(ur) l. si
... ... sic ... ...
... si sic ... de agri(colis)
... l. ... libro x ... sic ...
absolute ... ... petitae
... de nouo ... ...
... et ... q(uod) sic ... ...
de of(ficio) iudic(is) q(uod) ... ... alij q(uod) ...
... de of(ficio) del(egati) et l. iudex
et l. paulus ff de re iudic(ata) ... ...
... ...
q(ui) de of(ficio) del(egati) ... ...
q(uod) ... absolutoria ... ...
no(n) e(st) diffinitiua ... ...
i(n)terlocutoria ... ...
... ... libellu(m) dic(itur)
q(uod) s(ic) e(st) ... ...

... ...
... ...

[illegible] ... ...
... ... admittit ... ...
... ... genere ... ... illud
... ...
... ...
... ... exc(epti)o(n)es.
... ... admi(ni)strator ... ...
... agendi et defendendi ... admi(ni)str(atio)
... ...
... ... exc(epti)o(n)is
... ...
... ... de religioso ...
... ...
... ...
... ... et de
religiosi ... ...
de of(ficio) ... ... q(ui)bus
... ...
... ...
... ...
... ...
... ... ff ...
... ...
... ...

et in senario est resp(onsum) q(uod) [illegible] non te
quare(n)tur etc in s(er)uitorib(us) et isti in me(n)te
in s(er)uiti su(n)t agere et defendere q(uia)
[illegible] sui(n)t et est superior patit(ur) a
[illegible] sui(s) et est superior patit(ur) a
g(e)n(er)e ff de [illegible] s(er)uo l. iii et lege cui cu(m)q(ue)
q(uod) si filius uel d(omi)n(u)s [illegible] q(uod) [illegible] casto
[illegible] et g(e)n(er)e dat(iu)is de q(ui)b(us) [illegible]
di obitu et c(on)tra [illegible] h(abe)n(tur) de [illegible]
plebib(us) de off [illegible] [illegible] [illegible]
[illegible] [illegible] ad minist(ra)tores de
[illegible] [illegible] q(uod) ad minist(ra)tores de
[illegible] [illegible] agendi et defe(n)dendi
[illegible] ad minist(ra)torib(us) [illegible] de resp(onso)
[illegible] [illegible] q(uod) maior
est [illegible] p(ro) d(omi)no i(n) senario age(re) et de
fende(re) de [illegible] [illegible] et c(etera)
[illegible] et [illegible] [illegible]
ff de i(n) [illegible] l. [illegible] et l. [illegible]
[illegible] de resp(onso) [illegible] [illegible]
[illegible] agendo uel defendendo [illegible]
[illegible] q(uod) [illegible] mediat(us) [illegible]
[illegible] remoueri ad nutu(m) superioris
[illegible] [illegible] remoueri est [illegible]
et [illegible] [illegible] [illegible] no(n)
[illegible] et superior [illegible] [illegible]
[illegible] et defendendos [illegible] [illegible]
ff de [illegible] l. [illegible] de statu [illegible]
[illegible] q(ue) [illegible] q(uod) superior
[illegible] no(n) poss(it) ... amoue(re) [illegible]
q(uod) [illegible] alia [illegible] [illegible]
[illegible] de [illegible] q(uod) [illegible] [illegible]
[illegible] et [illegible] agit et defendit de
resp(onso) [illegible] no(n) [illegible] q(uod) bona
[illegible] i(n) senario [illegible] [illegible] a bono
[illegible] [illegible] [illegible] [illegible] amouere
[illegible] [illegible] et [illegible] q(uod) [illegible]
ad nutu(m) [illegible] [illegible] [illegible] [illegible]
[illegible] maior [illegible] admi(ni)str(ator) [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] melius q(uod) no(n) [illegible] [illegible] sen
[illegible] [illegible] uel [illegible] [illegible]
[illegible] [illegible] uel no(n) su(n)t [illegible]
amoueri [illegible] [illegible] [illegible] [illegible]
[illegible] uel no(n) [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ad mi(ni)strare
et [illegible] [illegible] [illegible] age(re) et [illegible]
[illegible] et maior [illegible] ff de [illegible]
[illegible] l. i. q(uod) [illegible] [illegible] et
[illegible] de bo(n)is q(uod) liber l. [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] de [illegible] [illegible] [illegible]
[illegible] et [illegible] q(uod) [illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]
[illegible] de resp(onso) [illegible] et [illegible] [illegible]
est in superiorib(us) et i(n) senioribus no(n) [illegible]
[illegible] [illegible] ubi no(tatur) et p(ro)cedit qua(n)do superior
agit [illegible] in senario [illegible] [illegible] [illegible]
iure suo tam(en) [illegible] ubi [illegible] et [illegible]
[illegible] [illegible] [illegible] de [illegible] [illegible] [illegible]
[illegible] agat [illegible] iure in senario in [illegible]
qua(m) [illegible] [illegible] ubi [illegible] [illegible]
in [illegible] [illegible] et [illegible] [illegible] agit de
[illegible] ad minist(ra)tionis uidelicet [illegible]
uel [illegible] [illegible] superior [illegible] [illegible]
in [illegible] de [illegible] [illegible] [illegible] [illegible]
[illegible] agit de bo(n)is i(n) senario [illegible] [illegible]
[illegible] uel possessio(n)e [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] agat q(uod) [illegible] [illegible] [illegible]
[illegible] suo uel [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] q(uod) [illegible]
[illegible] [illegible] [illegible] no(n) tenebit [illegible] ad
[illegible] [illegible] [illegible] [illegible] ff
in [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
q(uod) [illegible] [illegible] tutoris l. pupillo [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
ad mi(ni)st(ra)tore [illegible] [illegible] [illegible] [illegible]
q(uod) ff [illegible] [illegible] [illegible] de [illegible] [illegible] [illegible]
[illegible] et [illegible] et q(uod) [illegible] [illegible] [illegible]
[illegible] [illegible] ad superiores p(re)latos
ad mi(ni)st(ra)torib(us) [illegible] [illegible] [illegible] de resp(onso) [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] i(n) [illegible] ut
[illegible] [illegible] est [illegible] [illegible] [illegible] [illegible] [illegible]
ubi no(tatur) no(n) tam(en) q(uod) [illegible] [illegible] [illegible] p(re)latus
[illegible] [illegible] certas possessiones ad
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] amouibiles
[illegible] [illegible] [illegible] ad nutu(m) amouibiles
[illegible] [illegible] ad [illegible] [illegible] de q(uo) [illegible]
gl(ossa) [illegible] ubi [illegible] [illegible] [illegible] [illegible]
in statu [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] q(uod) [illegible] [illegible] [illegible] esse
[illegible] [illegible] [illegible] [illegible] [illegible] dicu(n)t
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] gl(ossa) alicubi q(uod) [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] alicubi [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] alibi q(uod) [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] q(uod) [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] q(uod) [illegible] [illegible] [illegible]

Iudices et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] de [illegible] [illegible] [illegible] [illegible]

q si actor et reus sunt absentes et procedit sua ordinaria iudex contra eos ff. de re iudi. l. de unoquoque. si alio presente procedit sua ordinaria [illegible] iudicante [illegible] c. absens et cum lite contestata non perveniat in statum [illegible] lapsum trie[illegible] [illegible] lite contestata [illegible] nisi [illegible] ut lite non [illegible] lite contestata [illegible] termini [illegible] [illegible] actore ad [illegible] [illegible] de [illegible] de [illegible] ut et [illegible] procedunt de [illegible] actor [illegible] absens cum lite contestata [illegible] non perveniat in statum [illegible] termino [illegible] lite contestata [illegible] [illegible] termini [illegible] [illegible] procedere [illegible] instantie [illegible] rigore [illegible] instantie [illegible] libello et tota [illegible] [illegible] [illegible] non perveniat in statum lapsum termini [illegible] [illegible] [illegible] tota lege [illegible] [illegible] perveniat in statum [illegible] lex dat [illegible] [illegible] iudex absolvit ab instantia [illegible] [illegible] [illegible] [illegible] [illegible] procedere [illegible] instantie [illegible] [illegible] perveniat [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] lite contestata [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] procedit [illegible] [illegible] [illegible] ff. de [illegible] [illegible] [illegible]

nisi iudex [illegible] [illegible] occupari [illegible] [illegible] [illegible] lite contestata [illegible] [illegible] lite contestata [illegible] [illegible] lite contestata [illegible] [illegible] [illegible] [illegible] [illegible] lite contestata [illegible] [illegible] [illegible] [illegible] lite contestata [illegible] [illegible] [illegible] [illegible] [illegible] ff. de [illegible] [illegible] [illegible] [illegible] [illegible] ff. de re iudi. l. [illegible] ff. de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] in statum [illegible] [illegible] [illegible] [illegible] [illegible] perveniat [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ff. de [illegible] [illegible] [illegible] [illegible]

[illegible]

[illegible] toti pendet ex officio iudicis
tur considerata locorum approximacione ut
si consuetum est ibi legi vel non et
terminus et poterit ad personas eius
circumstancias ut cum certis partibus
referat maiorem veritatem [illegible]
et hoc insurgit in doctoribus [illegible]
diocesis in duabus prouinciis [illegible]
bus idem si faber [illegible]
solarium ff de dot [illegible] arbitrio
[illegible] solutio matrimonio [illegible] quo
sunt quod non erant [illegible]
in castro illo hoc tamen non inuenio [illegible]
littera [illegible] ut in de seruis
[illegible] et ibi notatur aliud quod erat [illegible]
bonum non [illegible] glo que in fi
aliquid dicit quod ea erat fiscalis [illegible]
ipsa bene tractatur que [illegible] uel
ut dicit glo quod ea erat [illegible]
uel dic [illegible] maior [illegible]
aduocatum in hac causa [illegible]
non [illegible]
quod [illegible] solus [illegible]
[illegible] de foro competenti [illegible] de foro competenti

[illegible] de iudiciis [illegible] ad
iudicia [illegible] non [illegible]
[illegible]
[illegible]
[illegible] aliqui [illegible]
[illegible]
[illegible] ad mori [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] iudicis [illegible]
[illegible] ff de uer [illegible]
[illegible] territorium [illegible]
[illegible] reddere [illegible] de uer
[illegible] forus [illegible]

[illegible] clericum [illegible]
[illegible]
[illegible] clericus uel laicus clericum [illegible]
[illegible] laicum [illegible]
[illegible] ut est in [illegible]
de uer [illegible] qui [illegible]
[illegible] metropolitanum [illegible]

uel [illegible] negligentiam [illegible] et
[illegible] non [illegible] et [illegible] roma
[illegible] de off del uenerabili [illegible] cum
[illegible] apud [illegible] solum [illegible]
[illegible] roma [illegible]
[illegible] ut dixi [illegible] non
[illegible] de off del uenerabili et [illegible]
[illegible] glo [illegible]
uoluntarie [illegible] glo [illegible]
[illegible] iudicium reddere [illegible]
[illegible] ff de uer obli [illegible] non [illegible]
[illegible] confirma delegato [illegible]
[illegible] delegatus [illegible]
[illegible]
[illegible] iudice [illegible] et [illegible]
[illegible] iudex [illegible]
[illegible] loquitur
[illegible] iudice
[illegible] glo [illegible] loquitur de iudice
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] iudices [illegible]
[illegible] aliquos de [illegible]
[illegible]
[illegible]
[illegible] fuerint [illegible]

[illegible] est [illegible]
[illegible]
[illegible] est [illegible]
[illegible] et [illegible]
[illegible] de [illegible]
[illegible]
[illegible] uel [illegible] de [illegible]
[illegible] uel [illegible]
[illegible] est [illegible]
[illegible] qui
solus [illegible]
[illegible] uel [illegible] qui [illegible]
[illegible] ut [illegible]
[illegible] uniuersi
[illegible]
[illegible] sub custodia [illegible]
[illegible] uel [illegible] aliquos
[illegible] de [illegible]

Clericum in curia petitur ad xiiii cuius.
cuius legationi fungitur etiam ii q. vii ac
cusatio in fine emendat ff. de ver. sig. exque
et c. cum olim [illegible] Item non q[uod] iudex v. pretio
[illegible] petere in clericos xi q. i. in alia c.
c. placuit [illegible] q[uod] non [illegible]
[illegible] se correxat et emendauit [illegible]
[illegible] hac c. [illegible] ac si clerici [illegible] opinio
alia q[uod] requiratur clericus coram [illegible]
hic [illegible] verbo [illegible] et districtionis
[illegible] alii excipiunt [illegible] requisitionis
[illegible] q[uod] clericus [illegible] se defensione
[illegible] in iudicio [illegible] cum [illegible] processus
[illegible] dic q[uod] non [illegible] defensio [illegible]
[illegible] [illegible] allegari [illegible] Item
[illegible] liberari et rustici [illegible] gaude
[illegible] habet opinio q[uod] sit non
[illegible] de iudicatis xi q. i c. ii q[uod] [illegible] de
[illegible] de [illegible] [illegible] q[uod] [illegible]
[illegible] non [illegible] in foro [illegible] glo. i in fi. [illegible]
[illegible] quo ad alios clericos [illegible]
[illegible] cum [illegible] glo. ii in fi. [illegible] modo
in religiosis [illegible] [illegible] ut q[uod] de
[illegible] [illegible] q[uod] [illegible] et
[illegible] de [illegible] ut fuit
[illegible] libi [illegible] q[uod] distinguat
[illegible] et [illegible] posset
[illegible] delegata ut
[illegible] c. ii [illegible] exceptio
[illegible] [illegible]
[illegible] glo.
[illegible] requisitionis in fi. [illegible]
[illegible] glo. et addit aliquid et in ea [illegible]
[illegible] de quo dicta [illegible] et in c. cum
[illegible] [illegible] cum in [illegible]
[illegible] de of. or. c. [illegible] in [illegible] causibus
[illegible] in summa [illegible] posset [illegible]
illa aut glo. fi. ibi non fiet districtio
in persona. [illegible]
[illegible] de [illegible]
ac c. i. [illegible]
ut [illegible] locus [illegible]
[illegible] [illegible] [illegible]
in curia [illegible] de off. [illegible]
[illegible] de [illegible] petitio [illegible]
[illegible] [illegible] actori
[illegible] c. [illegible]
[illegible] [illegible] q[uod] [illegible]
posset [illegible] [illegible]
et [illegible] q[uod] ille est posset [illegible]

q[uod] [illegible] de alio facili [illegible]
[illegible] de [illegible] [illegible] de rescriptis
[illegible] opinio prima [illegible] secunda [illegible]
in loco domicilii et in loco [illegible]
[illegible] [illegible] quaeri q[uod] est
[illegible] [illegible] et [illegible]
[illegible] [illegible] et [illegible] de
rescriptis [illegible] c. [illegible] et [illegible]
hac opinione [illegible] cuius opinio
relinquitur [illegible] actori [illegible]
an reo azo [illegible] q[uod] actori [illegible]
et [illegible] rubrum [illegible] in [illegible]
[illegible] exceptioni [illegible] hic [illegible]
[illegible] vel [illegible] [illegible]
[illegible] alii [illegible] q[uod] [illegible] coram
iudice domicilii et [illegible] q[uod] [illegible]
prima [illegible] rubrice exceptionibus
[illegible] [illegible] alio [illegible] q[uod] [illegible]
in [illegible] rubrice ibi [illegible] fuit
opinio [illegible] glo. [illegible] locum in re
mobili q[uod] [illegible] [illegible]
q[uod] [illegible] [illegible] [illegible]
[illegible] ff. de [illegible] qui [illegible]
de [illegible] azo [illegible]
in l. [illegible] et l. q[uod] [illegible]
[illegible] ff. de [illegible] ad l. [illegible]
[illegible] q[uod] ibi [illegible] iudicium
[illegible] glo. ad l. [illegible]
[illegible] q[uod] ibi [illegible]
mobilia et ibi agi[tur] et hac [illegible]
[illegible] si res mobiles [illegible]
[illegible] ut ibi maneat ff. de [illegible]
[illegible] opinio azo [illegible]
[illegible] in [illegible] quaero q[uod] [illegible]
[illegible] aut habita [illegible]
[illegible] et [illegible] et
[illegible] allegari [illegible] [illegible]
territorio [illegible] [illegible]
[illegible] et [illegible] [illegible]
[illegible] q[uod] non q[uod] in non
[illegible] [illegible] [illegible]
[illegible] rei et [illegible] rei
q[uod] mittitur [illegible] in
[illegible] coram [illegible]
[illegible] [illegible] in [illegible]
de [illegible] et [illegible] [illegible]
universitate [illegible] sed bene.

mortis [illegible] ... romana [illegible]
libri ... postea ... [illegible]
tu [illegible] possessori [illegible] delictum
[illegible] de foro competenti [illegible]
[illegible] de limitibus [illegible]
[illegible] prima [illegible]
quidam [illegible] cognoscere vel
[illegible]
[illegible] vel [illegible]
[illegible] ad [illegible] de officio delegati
[illegible] iudices [illegible]
[illegible] glo. [illegible] vel [illegible]
[illegible] duas dictas
[illegible] iudices [illegible]
[illegible]
[illegible]
[illegible] de officio [illegible]

[illegible]
quos [illegible]
[illegible] vel laycos [illegible]
[illegible]
recusatus a reo de [illegible]
vel ad actorem [illegible]
[illegible]
[illegible] arbitros [illegible]
[illegible] adversarius [illegible]
[illegible] recusatur [illegible] de [illegible]
[illegible]
[illegible] ad iudices
[illegible]
[illegible] iudices a arbitros [illegible]
[illegible] iudicibus [illegible]
[illegible]
[illegible]
[illegible]
[illegible] glo. [illegible]
[illegible] non posset [illegible]
[illegible] filius et
[illegible]
[illegible] non [illegible]
[illegible]
[illegible] de [illegible]
[illegible]
[illegible]
[illegible] de [illegible]

[illegible]
[illegible] iudex [illegible]
[illegible]
[illegible] quidam [illegible]
[illegible] aliquantum [illegible]
[illegible]
[illegible] iudex [illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible] non [illegible] Dalbertum [illegible]
[illegible] recusatus [illegible] iudex
[illegible] recusatus [illegible] de
officio delegati iudex libri [illegible]
[illegible] iudice delegato [illegible]
[illegible] vel [illegible] aliquid [illegible]
[illegible] non [illegible]
iudex de officio delegati libri [illegible]
[illegible] adversarius [illegible] ordinarius [illegible]
recusatur [illegible] vel [illegible]
romanus iudex [illegible]
[illegible] ordinarius romanus [illegible]
[illegible] delegare [illegible] a lege
[illegible] ordinarius [illegible] arbitros
[illegible] recusatus de [illegible] delegare [illegible]
[illegible] non [illegible]

[illegible] recusatio
[illegible] iudex ut [illegible] iudex de officio delegati libri
[illegible] glo. [illegible] vel [illegible]
[illegible] recusatur [illegible]
vel non [illegible]
[illegible] glo. [illegible]
[illegible]
[illegible] ad [illegible] et
et [illegible] metropolitano et [illegible]
[illegible]
[illegible] recusatio [illegible]
[illegible] non [illegible] de
de medio [illegible] non [illegible]
of delegati [illegible] et [illegible]
[illegible] et [illegible] glo.
[illegible] teneri et non [illegible]
[illegible] duobus [illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible] glo. [illegible] recusatio non [illegible]
[illegible] originalis [illegible]
[illegible] delegat [illegible] iudex romanus [illegible] iudex
romanus [illegible] ad metropolitanum

appri' no pt ar no ob t s' ab sub delegatorib;
q2 del' negabat impeto; b uppr. x. c. s
vel cui q2 ibi opponebat ex' et ex' [illegible]
b pectitonij . ja ba q2 alio excipite q2 [illegible]
= eps hac cau sto supp b neglectu i fen
orio de supp negli [illegible] c. ps. li. bi / ad al
[illegible] hos [illegible] q si dat detenori parte
recusare aliq de duob; tunc erit lacuis
acceptaus q2 recipiet q2 vult post g
appri' adeptu no ut q2 snopat f ut de
legz Cylo m i fi hac. ben9 nt. ob q
[illegible]

[illegible]

patria oppidae contra quod non [illegible] credo de
iure [illegible] glossa [illegible]
[illegible] quod alias [illegible] quae facit [illegible]
[illegible] in [illegible] et [illegible] exemplum

[illegible] quaestio [illegible] in [illegible] ubi [illegible]
tur aliquis [illegible] tres et tunc [illegible]
in [illegible] non quod [illegible] episcopus [illegible]
[illegible] circa [illegible] obedientiam per dominus
vasallo [illegible] debita fidelitate quo [illegible]
[illegible] ad feudum [illegible] exceptione
[illegible] non [illegible] episcopus [illegible]
ita [illegible] in antiqua [illegible] dominus de
[illegible] de c. [illegible] ut
[illegible] non [illegible] episcopus erat
dominus militum et [illegible] in
[illegible] domino aliquis [illegible]
[illegible] recusatoris vel non [illegible]
[illegible] ut [illegible] dominus quod erat
vasalli ecclesie [illegible] domino de [illegible]
[illegible] episcopus [illegible]
[illegible] ordinario ut [illegible] dominus
feudi [illegible] medium [illegible]
vel quod [illegible] fuit [illegible]
de [illegible] aliquis [illegible] tres
[illegible] restituere [illegible]
[illegible] quod tres fuit vel hac [illegible]
non [illegible] [illegible]
ordinarius quod [illegible] erat ut [illegible]
[illegible] de [illegible] laycorum
[illegible] [illegible] rei [illegible] debuit
conveniri coram ordinario [illegible]
[illegible] [illegible]
fuisse [illegible] [illegible] quorum
[illegible] cetera [illegible] glossa [illegible] ibi
[illegible] [illegible] prima et [illegible]
[illegible] tres [illegible] fuisset
[illegible] hac [illegible]
[illegible] quod tres [illegible] ut
ordinarius [illegible] militum et [illegible]
[illegible] [illegible]
et [illegible] possint [illegible]

[illegible] feudi ecclesiastici [illegible] vel [illegible]
feudi [illegible] [illegible] aliquis

quod erat [illegible] [illegible] feudalia non
alia [illegible] feudum ecclesie vel non quod
tunc [illegible] in [illegible] de c. [illegible]
[illegible] et c. [illegible] xi q. i. [illegible] In
[illegible] clericus habens feudum a layco [illegible]
coram layco [illegible] quod erat laycus [illegible]
[illegible] in [illegible] quod erat [illegible]
[illegible] [illegible] archi[illegible] de [illegible]
c. [illegible] [illegible] quod clericus
coram layco non [illegible] archi[illegible]
c. quod [illegible] erat [illegible] et officialis
ecclesie et erat vasallus [illegible]
vel in imperatore quo [illegible]
[illegible] c. [illegible]
[illegible] clericos ad
hoc [illegible] [illegible]
[illegible] [illegible]
[illegible] ut [illegible] in [illegible]
[illegible] non [illegible] Et dicitur
[illegible] dominus feudi [illegible]
clericum [illegible]
ut c. [illegible] de [illegible]
[illegible] defendi [illegible] quantum
ad hoc [illegible] possit in [illegible]
[illegible] vasallus [illegible] magis
[illegible] dominus [illegible] defen
[illegible] clericum [illegible]
de [illegible] magis in [illegible]
[illegible] credo quod
fuit [illegible] quod [illegible]
clericus [illegible] feudum [illegible]
[illegible] et dominus [illegible]
quod [illegible] ab aliquo domino [illegible] hoc
[illegible] ecclesia aliquis [illegible] posset
[illegible] capitulo [illegible] quod
[illegible] quod [illegible]
[illegible] donatam [illegible]
c. [illegible] et ibi c. [illegible]
[illegible] de [illegible]
[illegible] quod [illegible]
[illegible] [illegible]
de [illegible] postea [illegible] ut [illegible]
[illegible] paramentum et [illegible]
in [illegible] [illegible]
[illegible] [illegible]
[illegible] ut in [illegible]
de feudo [illegible] quod [illegible]

de re quaest. c. bne i. bi. de. in q. si clericus producatur coram iudice seculari seculi i. teste q. q. laicus potest opponi ei crimen et repellitur. Arg. et q. gross. d. l. q. iudex secularis non puniat clericum i. mo. publicetur clericum qui non est in tenentem suum. Tolle g. oculos. Innoc.
pro dns feudi quantumcunque sibi vasallus et imperatores ardiariam. ff. l. frederici
C. ex parte ceterum. Quod dns feudi exequatur. primas suas est i. clericum sed
sullu respectu non incidit i. canonem
de rescr. pro alium. Et quo tollitur resp. qui
lex feudalis dat imperatorem rex feudi
non tamen tollat. nec tolle potest. dispensationes
canonum nec primum clericorum. lex edicit
ea i. dns hac appellatione posse tamen defendi
opus sit i. terminis c. alium sibi dns
exequitur primum et clericus vasallus i.
i. prepositum dominum manum appareat tunc
se defendendo non i. cedit. C. Ter. Si
principatus vel baronia sit concessum i.
feudum laycis vel clericis a quo conuinc.
dns feudi cognoscit et si agatur coram
dns feudi cog. sit et si agat coram
vasallo clerico et appellat. concurgat appellatur
dns feudi non ad superiorem de ma. c. tab.
solue. C. Si in ecclesias sit concesso
de feudo i. cau. i. quo mei laycos
si fuerit quo cognoscit dns feudi et laycus
cognoscit mi ecclesias cum h. vasallo sit ne
cognoscit. pro certa ff. l. frederici dns feudorum
quanta ff. l. frederici dns feudorum
de. tamen q. alii q. et fuit opus arcti
ut i. se. i. arcte nepotatum. C. go
si baronie concedant non infeudum sed
tunc ad nil fuerat licet ecclesia est si nec
baronie aliqua debebant deus si i. sui
den quod tunc ad honesta t. dici mu.
ec non mis. C. Ocx. q. si baronie vel a
ecclesia ad dicit etc. sub conditione q. si non
posset procuria concessa liceat ducere
Aspa accipere q. tunc ecclesiam non suscitare
accipe parit de qui ipso lege. Innoc.
q. hoc hic ex primu allatum dedo. cum dilecti
defende i. nos ut s. c. ardue reparar. canonum
de. c. i. nos q. ad c. i. rebus feudalibus
gressis ecclesie q. tunc non est consultum

dominum duret in i. ecclesia. C. Exiit. q. clericus
q. fructus rei feudalis et ipse suis ff.
reperi ff. ecclesiam dns i. eis mihi super
q. fecit suis sua propr. Sm glo.
q. licet queri possit cumul. est ad et
missionem feudi coram dno feudi non tamen
de crimine est. cumulat i. mo. ad plenum
de. remitti. s. ex parte de si clerici. Et ubi
si dicatur q. q. clericum productum i. teste
coram layco iudice obicitur de crimine
ut repellatur a testimonio de testi. testimonium
q. tunc ipse non obicitur clerico nec q. clericum
i. mo. q. laycum q. producat ipse nec
quantum sicut repulsionis testis suet
hoc est si feudum sit primum. Si aut
sit ecclesie et dictum ff. non manet ecclesie
ut i. de delicto xii q. ii. si cum
ipso tamen quiete ff. dic. post morte
redit adeccias ut in libro feudorum
de est gradi et c. si clericus hic hos
q. si vasallus sit clericus placitus eius
cognoscit de crimine predicatis vel sit
q. dicat feudum ff. dicitur. Si bona si
fuit absolutus dns possessionem
ppt. perit layco u. de crimine cl.
non i. petit. laycus n. de crimine cl.
eorum non dicunt in i. dicere cognoscit
dicendo nec de legitime de et cog.
tua. C. Ext. hos ad hoc q. dicitur op.
de clerico teste producto nec index
ex officio puniat teste infirmanti sed
q. expl. de layco nec de clerico
possit disponere. Cognoscat. dicit hos
q. pro re cognoscendo feudum alii
q. dno q. dns licet pars si iudex dno
quo ad possessionem ff. de libe. agnoscendo
quo ad possessionem non tamen quo ad pluralitatem
ff. i. q. iuliani non tamen quo ad pluralitatem
C. D. de l. i. c. de certo. ado od q. h.
c. ostenderi forma loci si forsan dicatur
q. multi ope fiat h. recog. tunc de testi.
ptrend dat forsan i. quasi bona fide pri.
menorum i. aliquibus cum regionibus fuit
q. structuri quo ad possessor ut s. C.
q. iii. de c. ceterum s. ex parte et c.
expromissa s. ex parte de medio feu
dalibus probabitur. Construcio verborum
sicud malus malibus C. xx. ff. hic
ex successio s. aliquo de rogat. i. alis
Ex. iii. de iudi. nam s. ex parte

ex li. lo. de scolaribus clericis et aliis
mercatores et viatores extra ... cum scilicet
[illegible] est ubi de li
bertate vel fuga

qui si de qua ... non ... vide
... vel secundum ... de hac
cognitione ... et modo ... si neget rapina
ad hac cognitione ... quod ... et ...
... de ... et non solum
de rapina et modo ... oppressione clericorum
et ... et de fraude
... et contractu vel si dicatur ...
est ... fraude cognitione ...
... et ...
agatur de re ... quod ...
militum ... libello ...
... de oppressione fraude vel ...
... contractu et ... adversa
... procedit ...
est si non probat oppressione fraude
vel contractu ... absolvitur ...
... agit ...
... et ...
... aut ... aliud
... fuit ... clericorum
... vel ... non audietur
... contractus validus ... peccatur ...
... agere ... non ... et ...
... clericus ... agit ...
vel ... actibus ... et ...
... Ego non possum hec ... non
... actor ... et ...
... clerici ... laycum ... clericus ...
non ... ubi ... hic ...
... oppressio violenta ... non
... non ...
... laycus ...
... asserit ... vel ... de parte
vel ... et ...
... agit ... vel ... de ...
... dolum ... violenta
... textus solum ...
... vbi ...
dicit canonista ... et ...
... ut ... de electione ...
... casu ... quo laycus ...

cum ... glo. si ...
... et ... adversus ...
... vel ... de ...
... illa ... terra ...
... vel ... solum ...
... cum ... merce ...
... de ... terra
... cum ...
... de ... cum ...
... lex ... de ...
adulterii ... ad
... et hoc ... ad
... ad ...
... lex ... punit ...
vel ... dic ... expresse ...
... concubinarius solum ...
... de concubinariis
... cum ... armorum
... solum ...
lege ... et ...
... rapina et ...
... actor ... et ...
... cum ... et ...
... quod ad ... ad
... hoc ... quod ad ... vel
... debebat ... dominus ... vel
... vna ...
... ad ... corporali ...
... pena ... ex ... est ...
... foro ... foro ...
... decedunt ...
... ...

feudalibus ... cum ...
... vel ... hic ... ut
... clerici ... de ...
... de ...
... de ... et ...
... vel ... delictis ...
... et ... vel ...
... dictum ... dic ...
... habebat ... non
... vel ... libellus ...
... non ...
... mobilia ... et ...
... vbi ... libellus ... de
... et ... et ...
... de ... et ... textus ...

de quo sicut fore contractum. ut quasi
delictorum vel quasi in rebus in predio permis
in re sortitur forum. Si ergo
contra eum qui fore delictorum vel contractum
in rebus in quibus non possunt [illegible]
iure [illegible] de aucto[ritate] [illegible]
ne filius [illegible] ubi [illegible] negotio
[illegible] quaerere [illegible] de negotio [illegible]
quo ubi [illegible] quaeri [illegible] iudicis re
[illegible] secundum [illegible] tempore
tempore [illegible] vel [illegible] negotio
iure [illegible] de [illegible]
[illegible] sententia [illegible]
[illegible] ubi [illegible]
[illegible] ubi [illegible] de iudi
[illegible]
[illegible] ne [illegible]
[illegible] vel delicti [illegible]
[illegible] duas
si [illegible] accedente ad [illegible]
de [illegible] meliorius [illegible]
[illegible] accederet cum sententia [illegible] qui
[illegible] Accedendo tamen quod
de [illegible]
[illegible] accedendo in sententia non [illegible]
in [illegible] foro [illegible] clarius dicam
de [illegible] ubi
glo. [illegible] differentia [illegible] foro
[illegible] ubi delinquens ubi [illegible]
[illegible] offendit iudicem loci [illegible]
[illegible] non offendit [illegible] loci
parochiale offensam [illegible]
[illegible] parochia [illegible]
[illegible] parochiale [illegible] locum [illegible]
[illegible] locum de parochia [illegible]
[illegible] foro [illegible] locum [illegible]
ff. de ver. sig. l. pupillus § territorium
[illegible] Angelus ubi [illegible]
[illegible]
[illegible] iure canonico [illegible]
[illegible] non [illegible] et ubi
[illegible]
[illegible]
[illegible] foro [illegible]
[illegible] vel requirat [illegible]
[illegible] alia lex [illegible]
[illegible] non [illegible] pena ut
[illegible] terminetur

[illegible] quin [illegible]
[illegible] non iudice [illegible]
[illegible] tractatu [illegible]
[illegible] dispo[sitione] [illegible]
[illegible] pena et [illegible]
[illegible] credo [illegible]
[illegible] lex non [illegible] ligare [illegible] pena [illegible]
[illegible] quidem de [illegible]
[illegible] alii ut dominus Bartolus
[illegible] de [illegible]
[illegible] ligare [illegible]
non [illegible] liberis
[illegible] text. [illegible] ut [illegible]
[illegible] et dicta de [illegible]
[illegible] et de re [illegible]
[illegible]
[illegible]
[illegible]
[illegible] expressus [illegible]
[illegible] non [illegible]
[illegible] expo[nit] [illegible]
[illegible] posse [illegible]
[illegible]
vel [illegible]
[illegible] negligentiam
[illegible]
[illegible] mandati [illegible]
[illegible] quo ad [illegible]
[illegible] lex [illegible]
[illegible]
[illegible] quotiens [illegible]
[illegible] ad romana [illegible]
[illegible]
[illegible] civitas
ad [illegible]
[illegible] Rectore [illegible]
[illegible] de re iudi[cata] [illegible]
[illegible] imperatoris
[illegible] venerabilem [illegible]
[illegible] lator [illegible]
[illegible] non [illegible] delegatum
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
vidua [illegible]
[illegible]

subrepticie cum manifesti sit quod dicit
quod multum hac materia gratia carta etc.
iudicialiter processit et expropriata fuit
quedam vidua vidua est cuius ma
ritus est mortuus ... vidua
nupta de iure vel consuetudine ...
[illegible]

non tamen quod actualiter ... incidenter
... petitis licet ... in petitione ...
valere quod fuit in presentia a iudice
tamen non ... processit ... ipsius
... exceptione ...
[illegible]

de ap. Rex Ro. [illegible] — Sed quia in nostra vacat
[illegible] mirabilibus et spiritualibus meretur =
= vacat regnum nunquam succedit papa. dic. In
quo non si ubi rex superiorem non quia similiter
in domo papae et in quo non quia aliorum regum
quia papa unget et [illegible] et coronat
de electione venerabilem facit de temporibus regum
[illegible] in regimine [illegible] in feminibus =
Sed si in quo non potest reddere iustitiam ut
quia quod predicti fuit rebellis nunquam
papa succedet In dic. quo non in [illegible] papa cum
gladio spirituali vel etiam temporali [illegible]
[illegible] in quo defensor ecclesie
de electione venerabilem At quidam vero [illegible]
vasallus [illegible] vasallus de
feudo domini [illegible] vasallum
[illegible] de [illegible] = Sed si [illegible]
[illegible] quod non recognoscit superiorem de
regnum quod non recognoscit [illegible] dic. In
[illegible] nunquam succedet ecclesia dic. In
quo [illegible] non fuit
[illegible] regni vel quod [illegible]
[illegible] hoc quod [illegible] ne
non dispensavit [illegible] de voluntate || [illegible]
[illegible] de [illegible] iustitia
[illegible] ad ecclesiam
[illegible]
= Quia [illegible] hoc [illegible] et
[illegible] creaturas [illegible]
quod [illegible] deus [illegible] [illegible]
quod [illegible] et lamech et chayn
adam et eva et lamech et chayn
[illegible] de [illegible] noe [illegible]
quo [illegible] [illegible] [illegible]
[illegible] dic. [illegible]
qui [illegible] petro ut [illegible]
non [illegible] etiam [illegible]
deorum [illegible] quod [illegible] ut deum
[illegible] non quod deus [illegible] creavit
[illegible] angeli
[illegible] spiritualia et
temporalia et [illegible] rexit [illegible]
[illegible] gubernat [illegible] et hoc
quod creavit [illegible] [illegible]
[illegible] posuit gen. ii [illegible]
[illegible] [illegible] posuit
[illegible] gen. iii punivit [illegible]
[illegible] chayn lamech cham

[illegible] alios gen. iiii c. [illegible]
[illegible] gubernat mundum [illegible] ad
tempora noe [illegible] gubernator
[illegible] [illegible] et etiam [illegible]
noe fuit primus qui [illegible]
gen. vi et vii c. [illegible] non negatur
quod fuit sacerdos [illegible]
sacerdos [illegible] [illegible]
gen. viii [illegible] sacerdos [illegible]
[illegible] abel et chayn
[illegible] successerunt [illegible]
patriarche [illegible] reges sacerdotes
qui fuerunt [illegible] [illegible]
[illegible] ad [illegible] qui fuit [illegible]
[illegible] deus et rex de quo dicitur
[illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] et [illegible]
regnum [illegible] [illegible]
[illegible] et [illegible] etiam [illegible]
[illegible] [illegible]
de [illegible] de [illegible]
[illegible] in glo. i. Glo. prima glo.
[illegible] ut dixi in textu
quia [illegible] erat multi in
[illegible] [illegible] ad
[illegible] quos [illegible]
[illegible] Glo. ii.
[illegible] in [illegible]
glo. [illegible] [illegible]
[illegible] ad [illegible]
[illegible] ad [illegible]
[illegible] ad [illegible] ut
[illegible] non [illegible]
[illegible] [illegible]
non [illegible] [illegible]
[illegible] [illegible]
[illegible] loquuntur in
[illegible] qui [illegible]
hac favore [illegible]
in [illegible]
[illegible] de [illegible]

p(ro)monentur et erronea opinio [illegible]
[illegible] impugnato [illegible] in illa memoria
in ibi [illegible] quos [illegible] de [illegible]
legeri [illegible] quasi [illegible] corrig(i)
aliud videatur [illegible] de [illegible]
[illegible] qui [illegible] venerabile
adfine [illegible] modus [illegible]
[illegible] fuisse in [illegible]
[illegible] socius [illegible] uni
[illegible] remitt(er)e [illegible]
[illegible] clerici a foro
[illegible] addebat quando
ad pregatos [illegible] uel remitteretur
[illegible] alioquin
[illegible] non [illegible] coram [illegible]
[illegible] clerico licet [illegible]
[illegible] non licet ut [illegible]
[illegible] forte [illegible] rogatus de [illegible]
[illegible] dicitur [illegible]
[illegible] non [illegible]
de rogan. [illegible]
[illegible] vectigalium [illegible]
non admittitur ad munera [illegible]
[illegible] Jus
[illegible] clerici non [illegible]
[illegible] alleget [illegible]
[illegible] clerici [illegible] alioquin
[illegible] quod [illegible]
[illegible] in actore [illegible]
[illegible] amittat [illegible]
[illegible] absolutoria [illegible]
[illegible] absolutum non
[illegible] absolutis [illegible]
[illegible] non [illegible] comminatio ut [illegible]
[illegible] clerici [illegible]
[illegible] voluntariam [illegible]
[illegible]
[illegible]
[illegible] ordinarium
[illegible]
[illegible]
[illegible]
[illegible] = = =

non [illegible] remitt(er)e uni [illegible] de [illegible]
adaptat [illegible] non [illegible]
[illegible] non [illegible]
[illegible] non [illegible] clerici [illegible]
[illegible] clerici [illegible] contractus [illegible]
clerici [illegible] contractus [illegible]
[illegible] = [illegible] conclusas [illegible]
clericus voluntarius trahatur coram [illegible]
[illegible] quibus [illegible] apostolus
[illegible] reus erat
[illegible] cum [illegible]
[illegible] et comminabatur [illegible] cum ad [illegible]
[illegible] civilibus [illegible]
[illegible] absoluto [illegible]
[illegible] absolutio [illegible]
[illegible] non [illegible] = [illegible]
de [illegible] et clericis ubi [illegible]
[illegible] clerici [illegible] coram [illegible]
uel [illegible] et [illegible]
coram quo [illegible] de [illegible]
civilis veteri corrigit [illegible] clericus [illegible]
auctent de [illegible] = [illegible]
de [illegible] clericis [illegible] corrigit
[illegible] auctenticum [illegible]
[illegible] ad illa auctentica
[illegible] ubi [illegible] actor [illegible]
[illegible] ad [illegible] clericus [illegible]
[illegible] illa [illegible]
[illegible] clericus [illegible] coram [illegible]
[illegible] correcta [illegible] auctenticam ut
de [illegible] clerici [illegible]
[illegible] auctenticum [illegible]
[illegible] nequis [illegible]
clerici coram [illegible] non excludit [illegible]
[illegible] uel [illegible]
[illegible] de auctenticum [illegible]
[illegible] ubi [illegible] clericus
[illegible] eligere [illegible]
[illegible] remitt(er)e [illegible] uni [illegible]
[illegible] aliquam [illegible]
clerico [illegible] contractus [illegible]
[illegible] clericus [illegible]
[illegible] non [illegible] remitt(er)e [illegible]
contractus [illegible]
[illegible] non [illegible] = [illegible]
clericus non [illegible] excipit [illegible] clericus
[illegible] remitt(er)e [illegible]
[illegible] de [illegible]
[illegible] non [illegible] =
[illegible] de clerico excipit

quos clericos et de pluralitate in dulcis [illegible] toti
collegio clericorum et vel etiam [illegible] opinionem [illegible]
[illegible] auctoritate. C. de episcopis et clericis
fuit in episcopo [illegible] alias [illegible] possit
[illegible] non expresse [illegible]
moveri quia [illegible] tacite [illegible] que non
in auctoritate expresse ff. de procuratoribus [illegible]
[illegible] de [illegible] c. vi
Moveri ex [illegible] quia [illegible] [illegible] [illegible]
[illegible] episcopo [illegible] quia primitus
[illegible] pluralitatem [illegible] et mea
[illegible] publicum et favore publicum quod non [illegible]
[illegible] ff. de [illegible] publicum et [illegible]
[illegible] vel [illegible] non de
[illegible] ob auctoritatem [illegible]
quia [illegible] auctoritatem statuit [illegible]
[illegible] suspectum [illegible]
[illegible] statuit clerici fuerint excepti

[illegible] episcopus et clerici [illegible] quia realis est
[illegible] quia pluralitas est in dubium
[illegible] ff. de [illegible]
[illegible] de [illegible]
[illegible] episcopus [illegible]
[illegible] non in [illegible] territorio [illegible]
non [illegible] C. de episcopis et clericis l. de [illegible]
[illegible] realis ut [illegible]
[illegible] quia [illegible] coram [illegible]
[illegible] liberali [illegible]
[illegible] In auctoritate [illegible]
[illegible] collatio [illegible]
[illegible] episcopo [illegible]
[illegible] alia
[illegible] placuit [illegible]
[illegible] dubium [illegible]
[illegible] clericali [illegible]
[illegible] alibi [illegible]
[illegible] et ubi [illegible]

a lege C. mun.^m de imp. imp. cum con[illegible]
gat et C. si in C. de pact. quomodo [illegible]
si aliquis contra gl. C. [illegible] ad
[illegible] de [illegible] cum congregat quod si ad
ducatur contractui in (pro)hibito quod
bonos mores non ligat ut [illegible]
non est obligatorium [illegible] in C.
C. si de adducatur contractui (pro)hi-
bito quando tunc [illegible] non operatur effectum
C. si autem adiciatur contractui (pro)hibito
favore rei publice patris municipii tunc
operatur effectum ut in [illegible] cum congregat
Attende tamen quod [illegible] (pro)hibet intuitu
rei alienare C. de alienare rei do-
talis C. si [illegible] (pro)hibere quod tunc
quod in (pro)hibito [illegible] pena [illegible] alie-
nare [illegible] municipii quod
fit [illegible] lege [illegible] pena [illegible]
[illegible] de [illegible] et [illegible]
non [illegible] salute [illegible] salut-
[illegible] de imp. imp. [illegible] dicta
municipii contra [illegible] contractu in isto
contra bonos mores et tunc [illegible] operatur
ut in [illegible] non est de re imp. in [illegible] dicta — de imp.
adiciatur pacto in pignore [illegible]
creditorum ut pacto legis commissorie
[illegible] de pig. pig. tunc operatur effectum
ut ibi [illegible] non tamen valebit
pactum [illegible] dicta
addatur contractum in (pro)hibito favore de-
bitorum et tunc operatur effectum ut ante
[illegible] si ad [illegible] vendicari
dicta contractui non (pro)hibito a lege
[illegible] tunc non operatur effectum de
verbo oblig. l. stipulatio ff. si quis
dicta in validum [illegible] de facto pollicit.
[illegible] et tunc nihil operatur [illegible]
pollicitationes sint inducte ob favorem
publicum [illegible] dicta adiciatur contractui
invalido [illegible] de eo pollicitationibus [illegible]
ut cum stipulatio non pollicitatio tunc non
valebit stipulatio C. invalidare [illegible]
[illegible] pacti [illegible] non [illegible] si non est
[illegible] valeat ut [illegible] de
[illegible] l. si [illegible] adiciatur.

contractui [illegible] validus [illegible] quod repugnat rei [illegible]
[illegible] tunc non operatur ut [illegible]
[illegible] ut [illegible] impossibilitatem [illegible]
Quero quod statutum caveat quod clericus [illegible] de
clericis [illegible] statute sit exceptus [illegible]
[illegible] et possit offendi in [illegible] clericus
[illegible] coram potestate [illegible] incidat [illegible]
[illegible] Ja. Bulgarini [illegible] statutum
de quo [illegible] clericus quod non [illegible] declarare [illegible]
[illegible] non [illegible] non possum coram
[illegible] quod [illegible] in [illegible]
[illegible] libere [illegible]
non incidit in penam Quero pondera quod
statutum relatum ad clericum non [illegible] exprimat
de clericis [illegible] quando de ipsis [illegible]
[illegible] non [illegible] clericum de
[illegible] quod non sit ut in [illegible]
[illegible] verba [illegible]
[illegible] ad [illegible]
[illegible] clericus [illegible]
a lege [illegible] verborum [illegible] forte [illegible]
[illegible] illa verba declinat
effectum et non refert [illegible] ff.
de legatis l. de [illegible] de [illegible]
[illegible] auctoritatem statutum [illegible]
[illegible] impedimentum [illegible]
[illegible] Clericus
cum [illegible] impedimentum [illegible]
statutum [illegible] offensus a [illegible] coram
potestate [illegible] justitiam [illegible] fecit [illegible]
[illegible] statutum et fuit offensus a
[illegible] coram potestate petit justitiam [illegible]
fuit [illegible] ne incidat in penam [illegible]
[illegible] statutum dicit Ja. Bulgari [illegible]
quod [illegible] non [illegible] facere justitiam
[illegible] non possum quod statutum dat non
impedimentum [illegible] et [illegible] nullam
[illegible] statuti [illegible]
[illegible] et [illegible] nulla [illegible]
quod [illegible] non [illegible] Hic est
[illegible] quod statutum [illegible]
[illegible] et [illegible]
a lege [illegible]
statuto [illegible] Credo quod [illegible]
[illegible] potestate
[illegible] quod [illegible] ff. de imp.
[illegible] l. et quod [illegible] municipalis [illegible]
[illegible] auferre [illegible]

Rº clerici

Item quod licet clerici susceperunt vel habuerunt inuestituram imperatoris
inuestituram unum ... vnde ... ff. ... mel.
fuit dispensatum ... contrario poterat clerici
... coram ... ut episcopo ... de episcopis et ...
... ossa ... auctoritate clericorum in
... coram episcopo ... non
... dispensatum ut ... coram ... sunt
... si erat ... coram episcopo ...
coram ... ut in auctoritate clericorum ...
... in dispensatione ... ut in auctoritate
... qui fuit frederici / unde ...
... in dispensatione coram ... et in ... pena
ut hic transgressoribus — Item vnum
clerici ... ab
imperatore ... qui ... ab
in ... auctoritate ... episcopis ...
... in auctoritate ut clerici ... ipsum
... a ... competentibus ... libris
competentie in ... et collatione
... placuit ... clerici
... ex ... et si in ...
... in mort et ... et ... corpus
... corpus et animam in ... est
... in corporationem in clero ... cui
... non ... publici competentibus
laycas ... in ... et ... suscipiunt
... in ad ... qui susceperunt
de imperatore laycorum ... de facto ...
... de ... ut ... in
... non ... origina ...
... spiritualem et temporalem ... in ... so
... ... qui est Vicarius dei
... et ... permissa ...
... quantum ... permissum ...
... permissum fuit in spiritualibus ...
... clerici translati in ... ut ... in
... renunciauit et Vicario ...
in ... excepto a ... renunciato
et ... concesso ... permisso in ...
... temporalia
corporeum tendens in spirituale et
intellectuale disponere spiritualiter in ...

spiritualiter ... et si ... in ...
mouere superiore ut ... ...
in de ... — Item quod ...
... ... competenti in ordi-
nibus ... clericos ... qui ... sunt
... professi et ... et ...
... translati de ... ad ...
... et in non ... in ... et ...
coniugati cum ... et virgine
in ... et ... de
... coniugati ... — Item de
coniugatis non clericis professis tamen
... dispositionibus quasdam regulam
ut cistercienses tertii ordinis fratrum
alibi ... — Anglici
... ubi Bellegiano ... non in
quibus mulieres ... ...
... potuerit ... ...
fo. ... et ... qui
non possit renunciari ... qua ...
... ducebant ad ...
... eadem fragilitate ... ad
renunciandum ... ubi
... renunciato ... ...
... alia ... glo. ... possit ...
... apparet quod ... venerit ...
renunciato ... petri ... esse in
... quia eadem fragilitate ... ducendum
ad ... renunciandum — Item ubi ma-
... quadam ...
... plures ... ...
... ubi ... ubi
non renunciauit ... noluit
... potuisset ...
... — Et ubi ... in ...
... quod ... in ...
in layco ... in clerico et ...

Et ubi in criminali glo. c. ista qm quam ex dto decurris sub de C. de nup. in uidi l. i. Ita glo. sup. et rn. cu dr q non ptr puniri in criminali merum i ptm dare correcti qr loquitur q iḋ spec. i correcte si i parte ... excepto uel nat duo ... burgoli ... ubi de criminali agi aperte q ubi ptrem rn q illi non sunt uideto

Et i si ... matrimonium glo. forte pt dic ... dimo ... transgressio ... ducere ... mor. remitti non pt de ... ff de pact. l. ... ali uni ... de ... ... remitti ... ff ... ... ut q liber ... remitti ... libertati uel si remitt. ... ... ut si remitt. ... de dolo uel si sit c. bonos mores ut ... ... uni ... remitt ... ... remitt ... ... collegiato ... non remitt. ... ut ... sen ... ... de sen ... ... mandutia ... ... de feriis c. ... firma ... alia ... ...

remittere a pupillo ... remitt. ... de ... ... i ... ... remitti ... uni ... ... priuata utilitate i ducto de ... non ... de ... ad ... ... priuatu de ... ... publica ... remitti non pt ... ... et ... eligere de ... uel q uoluntas testat. ... de testa. ... Juri ... publico auct. et ... ut ... non remitt. ff de pact. ... publicu de sen ... ut ... de libel. obla. c. ... de ... ... Juri publico auct. et priuata ... et i ducto ... communi ... non remitt. ... ad ... de ... ... ff de ... l. ... ... remitt. si ... fauorabili ... ... ff ad macedo. l. si ... ... Duc aut pactu ... uolo ... ... remitti ... ... agnatois ... ff de pac. l. ... ... ff de pac. l. ... publicu ... ... ff ... communi ... ... de ... ... remitt. ... ff ad l. ... l. liberorum ... Aut uolo tollere ... ... ut macedonianu ... ... et non possu ... ... si ff ad macedo. Aut uolo tolle ... ...

[illegible]

et tunc pacto non est tollibile pacto non ut l. abdicata C. de pactis pactis Si aut
pacto est tolli dz. uerba non sunt apta ad tollendum et tunc si pactum [illegible] quod in
interdictum ad debita que dat et non nos ff de pact
quecumque l. proponis et l. querere i. aut non
et tunc per pactum tolli non potest ut hic C
In glo. unde opinio glo sequitur per in nota
hoc tamen et ibi hunc. vide hos alia
opinio uerior attenta mente iuris quod
non procedant et quod in pacto ut et ibi glo
legitime in l. in criminali C. de iniuriis et uidi
dicunt quod alii iura in liber in uos iuri
uel ad [illegible] et tunc per solum tractum
criminali de delictu est si non [illegible] quod
sic. talis condicio age et tunc hoc parte
usque adimiret ergo in causa ista post [illegible]
hoc tamen sic quod sic hic C dominus Jo. [illegible] opinio
[illegible] dicit esse uera et si uerit est opinio quod [illegible]
lex per hec quod dicit cautela etiam [illegible]
[illegible] hoc quod [illegible] licet [illegible]
to quod sic decliny [illegible] licet [illegible]
debz dicere ego non possum dicere ego nolo
et hanc cautela dominus Ja. bn dabat
quod parum huius ciuitatis quod habebat
quod declinas imperatorum [illegible] possit in puniri
offendi [illegible] cum de pactis C In glo
[illegible] hoc in quod debz [illegible] ab
[illegible] non [illegible] nodum tracto
[illegible] cui in iura irrogauit C glo
[illegible] hoc quod [illegible] parte in
[illegible] alia equiualens [illegible] C
de iniuriis et uide l. in criminali [illegible]

[illegible] ubi [illegible] quo [illegible] de [illegible]
in [illegible] al. [illegible] [illegible]
[illegible] de of or c. [illegible] de [illegible]
[illegible] in vi imperatorum non [illegible] merum in perium
et [illegible] hoc dicebat hoc quod [illegible] in [illegible]

et dicit merum in perium [illegible] glo hoc in
q [illegible] sic [illegible] Solgarcare oppoc
de l. [illegible] ff. de [illegible] et in nota
quod [illegible] potest ut ibi quod similibus
non ut hic expr. [illegible] oppoc
[illegible] [illegible] in [illegible]
[illegible] [illegible] [illegible] de
of or cum ab [illegible] C. in nota quod
hoc [illegible] in [illegible] territorium C
ordinaria [illegible] C. de [illegible] de
of or c. i. Inferiores aut prelati
non hunt ordinaria [illegible] in eo quod eligunt
non aut in [illegible] officiales
[illegible] hunt territorium de iure [illegible]
[illegible] alii [illegible] [illegible]
uel [illegible] [illegible] di
[illegible] dicit quidam [illegible]
[illegible] [illegible] cognitione
[illegible] [illegible] Alii dicunt
quod non [illegible] [illegible]
uel [illegible] Imperatorum [illegible]
[illegible] quod [illegible] quedam [illegible]
merum in perium [illegible] sibi C
[illegible] quod [illegible] a lege facultas
te coercendi [illegible] In [illegible]
[illegible] modice punire
et [illegible] ordinarium
C [illegible] quod [illegible] imperatorum [illegible]
quod [illegible] merum in
perium [illegible] delicti [illegible]
[illegible] C [illegible]
[illegible] coercendi [illegible]
[illegible] merum imperium quod
[illegible] a lege [illegible] ff de offi
cio eius cui mandata est iurisdictio l. i. [illegible] non [illegible]
[illegible] de [illegible] l. [illegible]
ff de [illegible] l. [illegible] ff
de [illegible] l. [illegible] hoc quod [illegible]
[illegible] imperatorum non [illegible] merum imperium

ar. fere p opiōe Ja de ar q̄ h̄ q
mers i pertu nō ē ppl'ae p mra
alleg̃ta q̄ cū fere q̄ gsuc' ē pl'bs
p'mto ff. de aqua cottī et esti l. hac
mre q̄ ducts aque Jtē gsue' dat
p'mlm de ser rg ruq quibzda C
Jtē q̄ ex longa paciēcia p'ncipis
hr' gcessisse ff loca l. cū i q̄b3 q
locatur Jtē mō tn̄ di castrs et
apcedīcias ut furcas p̄t gsue' i
duci c. de furiosis l. hui la zj et hac
t3 petrs ut nāt cyng i l. a' c. de e
mācipacōib3 libertors C q̄r adeē
dēdū q̄ resert an publicq uel pub
dicta vniūsitas posset p'scribe i
se ipo meros i perium q̄ p'ncipis ut
sic p'scribat libertatē a p'mto ut
alio spali mre q̄. aliam h'nte
meru in eōdo loco / posset q̄ illu p
scribe hac s. credo i dispicie locz
p c. cū ex officij de p'scp q̄ mu
ē du'm p ubi ē et p l. gpete q̄.
de p'scp xxx ul xl anorz / Cū tn̄
attēdo q̄ ad. ē civitate publicq
p'ncipi p'scribē exclusioz correctōis
et obedīēcie sup' et hac credo i p'n'e
de mre. q̄ hac i ducerz ad deliquē
dū ff de pac quens l. populi 2 l.
quēcīe Jtē q̄ nō ē dare a capitha
la ~~hunio~~ xxm n'a Jtē q̄ mo
p'ncipis cū eius i t'ept delicta p'm
ne ff. de sr'acuq l. si areo de pen
ex̄o ut fame Cq ad ē vniū'te p
scribē q̄ p'ncipis facultatē corrige
di p'gtos de vniūsitate ut sic q̄
gpetebat p'ncipi i p'gtos mrē q̄
petat vniūsitati ut vniūsitas hāt
i q̄ar tertiū p'scribenf q̄ p'ncipe
i alios nō i se ipā et hac forte
p'cc' de mre mā q̄. p'mam

p'scribat'. h̄ mra de p'scp ad actiām z
c. cū dilcs et tepit nōs et absurda
q̄ sequit i p'mo mēbro et forte h̄ fuit
mēs Ja de ar ut q̄ s'r gcordia opiōes
C Cō'e p'us ex̄o'di p'cit' aspirare clauūi
q̄ nō purgat ī a lege q̄. gsue' nō
dat / Cō'. hac q̄ gsue' nō dat q̄uato
p'n'te ex̄o'di p'lato nō certe uel
ce' h̄ am pcedit ubi i ferior nō
h̄ territoriū exq̄ uilo alī s quosda
parte' cū exēpt' fa'ciū i s'l. uoc
delict' uel gnatts cū.fuit gtigit i
abbatib3 2 alios q̄. C Cū t'm' ut
tē dēdū q̄ si plat' i ferior hāt
territoriū a dioc dāt ordinaria p'tēt
q̄ d'cm ē Cēg. si limitatē q̄ tñt
porcū. fors sic limitata ut nō i
plus puniat forte exēpt' ubi de
linquēs q̄ posset i subditū ubi deli
quetē p'ecō p'pit' in m

Cas dic in ubi dicy p'ē hui' de sen. p'p'te
hēs. de. om q̄ ubi h̄ tractatu quo ubi
h̄ ecciag de quo agit' de p'ual exere p'p'o.
forte p'ncipis gnocitus habeat' ut s'co p'p'he
s'i tractatu layalbat' habentas nat' illud
s. bisfin / facienda ad requisitos respondit
s. cr'ona ubi C Cō dit' q̄ hr'a q̄ solu
ex̄o bisficij de bisfo posset cog're q̄
i dyoc' ag's cū erat et gtemoniu
de q̄si c. in libi 2 Cō i q̄am q̄ ē uido
q̄ fce roe tacitū C C hcordiariu q̄
mōtāte nō exequi ut c. r'ona q̄ q̄
bētes .1'. c. i q̄ 2 || C Cō'e q̄ h' p'mit'
q̄s delicti dat q̄ sup eme q̄ posset
cū ordinariꝰ tacita et hanc pmcz sit
pena legis xxx d. i si inp' dispēsat
de ued' ... at pitici in maiorib3 at
p'muet inde delicti et fuit iusto

ut nulli videtur q si vero ar. dicm --
et pt dic et puniabit bñficio licz simagis
teneret contra malos sz ultra sequitur lex
i tellum sz manualis executio bñ
fiet p iudicem bñficii et p hunc te[illegible]
dicebat i nost q si bona sz possessores
i territorio mutini et bona offendat dñm
dñm mutini q dns mutini no posset
punire q bonon qz no e iudex p foc licz
possessionum [illegible] erit remedium citra
bñ coram iudice bonon et si no fiet
iusticia poterit i dicte represalias xxxiii
q ii dns de quo dr ut i c bno de
i iuriis i vi dubitabat q si bona
illa sunt i bñtaria q ppi t bñtu de
illis cognoscit e c fine de ubi a re actio
l si poterit tn dns mutini statuere
q qz offendes dñm mutini amittat
possessiones et confiscentur q statutum q
sunt bon et no alias tm / hoc tz q
contra i duob q rac q delicti / m q
p statutum posset bona ecclie p laycum
confiscari vigore laycalis statuti et
applicari fisco secti [illegible] hodie et d
dcm q rac delicti sortitur qs forum ut hic
sz dcm hoc sc / dns p defendit i nost
i bno q legitime i dns no habet iurisdictionem
ut si ego bon hes possessionem i villa
mutini q e alicui q tn no hz ibi
iurisdictionem / pua defensa sunt i curialis
q si no habet iurisdictionem no dubitat
uis defendi i nost dic q lz de offen
dñm cos territorium mutini ad dyass
q capit i ultimi vel si a t de offen
dñm in territorio suo q no cognosset q
ee no pt iudex ee i ppia ca u nec
quis i ca sua l bona z p totum quam

ipm coram arciano in g° dco de
foro i nost q no hunc i fructu
q ille statutum ligaret bon ecclie
m ille statutum ligabit bona ligat
bilia et si dm sunt alicuius territo
rii / dicz et fo dorani an statutum
supponat a apena d re si t p pena
credo q no ligz p t s de g sp i b
vi a re credere sectis de hac tn
dicta de pen cum a nob == C z
dicis ptt me supponere sup arbi
ptt delicti alibi commissi dr q
no q delinquens ptt puniri sicut
subditos cuius territorium sc -- c exige

p quar ptt qqo m iudicem in structo ille
matdag i ma fe [illegible] q p g cc gusso
z pei certa m p exceptio rei et ac
toris replicatio lib dco m aliani
exceptio et alia actoris replicatio
ubi dic q pa bus de spa spiru exigit
dotalicii sz no erat mete deducta
p cst q ea spoliatus e restituendus de
resp spo i lis i nost t'ruaff
dixit expulso - spoliatus ac agebat
i ef dco lex vi L appa sup declinatio
hoc valebat d mo et quo vale cante
de exceptio olim sz no ho de resp
statutum de duci in pnl q a mutt
q hic ad consiliu regie q agetur
ar i pro ce debuit ei fauori l pp ars
ff de iud leucas leuca gtz
duo miliaria s hoc a xi leuce
faciebat una dyeta s q gtz xx
miliaria fra de q leuce variantur
s varietate p iure ce q i francia
sut modice i anglia maiores a
almania maiores adiecit exceptio
do i me creplicando q gemit lites
no replicatio z ns u dnt aliqui

coppia

mus bn aly q̄ f i nost Sedua
despolata et oppssa hos c̄ q̄ f ce
p oes om fit punato forifs acumula
to / tm dc̄ nisi spoliat? iff de dni
feudatarii q2 tut coram ipo debent
queri p̄ c. cetera de iudi et q
decat q regia depoptit qrelam aut
honore m̄ q̄ iudices datos ab
i nost ip q no pcedebat 2 mor i nost
puttesse honor lr̄e h̄ q̄ c. neria
2 pussim? o c. pane de resp dilti
[illegible] aut? ipaz p̄ [illegible] gof ut
o c. exceptione tude q ipi capus fit
nulla dup ut dictu cū glo = C
[illegible] q i t dco [illegible] spoliatus nul
mu dans 2 metu [illegible] de resp pro
cu ad pede [illegible] q replicato elidit
exceptio de [illegible] a nob [illegible] q
reali pt qs tigt i lo rei / colligitur
aliquid q ab i qpura dicte de resp
no nlli = C [illegible] agebat i t dco
cū vi [illegible] de resp pro / cū
adpede ff de vi et vi arma l. i. cū
p̄m m g̃ no fiet gpu? a loco rei i
mo a lo? p̄ c. qrecto a dc i nost q
h pt [illegible] c. iure [illegible] a
lo? rei fit [illegible] alii tn q tene
p̄mu = C m̄ hic agebat medio
g̃ no expedit metu de iure [illegible]
tatorii p̄ de resp pro i lns [illegible]
i nost q no expediebat de necti
exptu habui g̃ fit ad i p̄ructq
iudices no ut [illegible] capite aget
cu petitorio et possessorio [illegible]
de q̄ reat de ca p̄ [illegible] = C
m̄ dc c p [illegible] de ap et [illegible] de
iudi o et c. cam q̄ fili pt [illegible]
[illegible] c. i [illegible] 2 [illegible]
duus q cont cett? queriant [illegible]

[illegible] di cetera o c. expti [illegible] et c. [illegible]
ut d? dc c. exceptioi o c. dni aliq q
regia no fatebat? [illegible] fore [illegible]
p dicebat fore [illegible] dotalicii 2 hec
no tollit qm q nobilis exceptit ip
d? q exceptio no ob i poss? aly dnt
q exceptio de feudo exc? cu agit? sola
petito? [illegible] d? de [illegible] iuribus
q lo? [illegible] ad no i c.
cetera de iudi ubi [illegible] fuit q pi
agit? cet medio [illegible] ut [illegible]
[illegible] dc g̃ q hic c. [illegible]
Sedua spoliata et oppssa quo [illegible] publice
foro cett? actu et [illegible] ad [illegible]
ubi [illegible] hic g̃ no fit [illegible]
p acumulato fori = C etiā vasalg
q c. [illegible] a lege q̄ cont dno
feudo cet [illegible] o c. [illegible] i mo no
pt [illegible] ad aliu iudice
o etiā [illegible] q̄ Sedua
g̃ p [illegible] de cū [illegible] c. dno
i vi q etiā cet vasalg no possit [illegible]
iudice pett q̄ [illegible] dno pro no [illegible]
[illegible] p p i nost [illegible]
c. [illegible] iure [illegible] q pt tolle p̄ a? ius
coe p. iure feudor [illegible] iure canonu
[illegible] Sedua i [illegible]
q no tolli? p̄ ius coe [illegible] g̃ coe [illegible]
tolli? p̄ ius coe feudorum q fuit [illegible]
[illegible] et [illegible] Sed dc q
etiā spoliata pt [illegible] resp
[illegible] i Sedua spoliata [illegible]
[illegible] q̄ [illegible] dc
o c. [illegible] g̃ [illegible] i Sedua [illegible]
dnt doctor q si i petret? fre
[illegible] no fuens metu de misera
[illegible] c. i [illegible] no [illegible]
= C [illegible] q ip debmt ad

mitte exceptionem ar. de c. de dene q'i super his
d. in nota quod dat aliqui exceptionem fuisse
admissam
quod exceptio fuisse admissa si fuisset opposita contra
litteras si non si fuisset opposita contra in eodem
non ut [illegible] hec reprobatur et merito quia
textus reprobat non hic fuit oppositum contra litteras
dicit quod in nota quod exceptio erat peremptoria non
fuit opposita in vim dilatorie quia si peremptoria
opponatur dum lis agitur nunquam vitatur terminari
nec enim dum lis agitur vitatur non est in eodem
ante quod non fuit tollat quod non dicitur opponi contra litteras
nisi sit exceptio ... dicitur admitti
in materia ubi agitur possessorio tamen dicitur
si exigisset petitorium et est ratio quia si admitteretur
et terminaretur per ipsum lis finiri antequam in
cepta quia dum cognoscit et ... de qua
ne cognoscitur videret ... nota in l.
... de prescriptione et de probationibus in patrono offi...
Adde ... super litteras ... quod si parietur et exprimat
aliquam quod dilatoriam vitiat contra litteras de
admitti alias non est ... in quo admittetur
ut si ... duas dignitates vel duas cura
tas possidet alteram et litteras impetrat
agi super ipso in eodem asserens patrem dispensatum
admittetur exceptio quod non sit dispensatum
etiam alias ipse litteras non deduxisset enim in quo litteras
non admittetur peremptoria nisi in casu ¶
In glossa apparet si dicit quod non datur actio
spoliationis quod sacrilegium persequitur ... enim ... ex
causa super de restitutione spoliatorum ... in capite in
glossa ... compilationis

... et inspiciatur ...
primo posita querela contra ... iudicem dato
ubi ... aliquis habebat ubi mora
... et ... quod ... ...
... ut est gener. ut nota ... de
... ubi ... agebatur in
... collata in ...
... validate ... alias ... posita

: in petitu de restitutione
exceptione ... satisfactione vel ... minus ...
sacrilegii alibi dispositum [illegible] xxi q...
c. ... sufficere hoc ideo quia manifesta
erat offensa dei ... exquire
dignus sic dispensat pluries c. ... dispensat
Boniface ... ¶ ... qui ... corporis ... quia
possidetur quasi in ... glossa Item mouco
de ... ex sacrolecy
c. ... ¶ Oppositione ad ... quia dicit ...
quod erat ... possessio ... quod
erat spoliatus et ista ... quia quod
violencia in fert spoliatum spoliatio
privat possessionem de restitutione spoliatorum in litteris
dicitur quod intendebant spoliare ... ...
habebat forte ... ...
sub ... ut ... coram
... Bonon ... in nota ...
... ¶
Et tunc ... debuit queri coram
iudice ... c. ... et c. ...
... dicit in nota ... in libello allegat
violencia et sacrilegium ... cuius
coram ... fuit queri ...
ferret ... non quia violencia ... de
... ... eadem
¶ In glossa ubi ... et non ... petitur
... in eodem ... vel ... ex
causa redintegranda dicta ... de
restitutione spoliatorum ... ¶ In glossa
si alibi non sit ... de ... ...
et ... suadente ... q. ...
de ... ut ... et c. ...
... ut ubi nota quia aliud ...
quod sacrilegium ... magis violentias
... alia violat
... ruina vel fractione ...
... ut in c. ...
... aliam violat ... ...

a tut nō c exº ipa iusp ar
ut hr a c q̄s q̄s xxiij q. iij p
Debet

q querela ij pu ibi mādanus
albari i adalbare ppā i modū ex
cepcōis declaratorie citra mare
d̄r hoc q̄ videt pmlhz et fuit in
dulcē p texu g'itaz vel pat
p pro ibi i in loco i quo pmiserat
solue cessez p cōmuniz rōnis expresse
dr expresse d̄r dapna d̄c i iniuris i
iiij vt tenens p d̄e solu c. d'
nō q̄ pmlhz i dultū cuiz p d̄ist
clericos ab Iec q̄ pucti' d̄e solu
ue debita p decessore d̄e solo c. i'
Iec vnde dacalz q̄s p̄t querī est
de gtractu alibi i initio Iec q̄ p̄t q̄s
venire pimlo i sui fauore gcesso
de p̄imb. arcidenal Iec q̄ iure circa
ro. recut i tenē et expresse cessit
tibi vnus — hic strngr succeessor
vigore brāz i petitat cū ancessore
p q̄ ar i nota q̄ si d̄r platus p
cum curatore nō e certe q̄ morº p
est redintegra dat pcas prius
subdebat i nota q̄ alij dist glosse
d̄ p̄mi vincte alij attēpiuerit lato
ut tur dicz al. no p pima opioe
stat q̄ li d̄e of del. gt̄u ut si ex
p̄ssit mandatū delegari vacuz
p morte deleganti nō tm p̄ium
q. illa pcas delegari p̄cedit ab hoie
pcas prius p̄cedit abcoia
q̄ no moriē xxij q. iij liberti de iusp
p gro p i vj has. Iep. i nota q̄
p̄ca. no litigat de rebz certe q
p̄ca pcatū est d̄c i thodcis
in p̄ca pcatū est d̄e i thodcis
vinctep lato ut ibi p̄ ob p̄ dicta
illa nūa loqui i reo q̄ hic fortis

pcu i actore q̄ fauorabilis e defendo
q̄ ager ff de p̄cur. l. finū q̄ i. pub
arbi i c solvo de gcius i vj quor opioes
dns q̄ si dic solū mea plati pcu
opio hoc pcs i i c. vel plati et capli
et tut baldz laca opio i nota hoc hōs
cīm i de bit de pcius bbi d̄r glo q̄
pcur gstitut a plato q̄ i mor ex
spirat mandatū est reno i big adicit
q̄ si e de mēte hoc q̄ e redec plato pcur
eadē pcate possit p̄cede i e resp tū
p̄ sit de cuius mēte q̄ i totū expirz
tur e vera et o nidut gt̄ plz ibi roz
q̄ i iudicio q̄ gbinus ff de peculio l.
licz q̄ do i quo dubz p̄cide tractatus
q̄ no p̄t hri p̄ ca / alia rō q̄ edictu
in p̄ca q̄ p̄ca mehil dez ap sptu
pcatz administracois p̄ ca / alia q̄ assit
efficacio re q̄ edictū p̄hibotariu e
nc p̄ ca q̄ pcas admīstrandi p̄stat
ad capitlm fiez g' p iudicium si pcur
pcedez pima no e vera supplet q̄ ff
reqrat tractans q̄ tractans reqrit
solu i gtractu alienacois xij q. ij
si exceptiōe et ibi no i sūma C
v'itur p̄ ponas vbo ego vnº q̄ licz
i iudicio qui gbas dico q̄ suffic tracta
tus. a pri' de pcurat gstitucio al' sq
nec absurdu q̄ i quoh actu iudicia
rio reqret tractans q̄ i quoh actu
q̄ gbs as inq lites dirimere
alic dic no gcludit q̄ no i ferit ex
tircon pcatz pcuratorie si solu supple
q̄ quoie supplidui ca p̄ et f cessa
bit pcta — vltia rō e absurda
q̄ si vez e q̄ de volūtate admīstro
i iudiciū et est xx iudicii ad capitlm
nc p̄ ca. potit gstitue pcurē qui
pcedez nō certe i iudiciū q̄ ab sit

et resp. nisi se ba ptorii. Ob. abbat gestis
reddendo dictam mri mandatum quia cessit
et mandatum delegati quia potestas delegata

precedit a lege que non moritur primo ab hoc
non extinguitur per aliquos quia resp. ipse gestis
quia potestas depedit est a lege quia licet est
non potest revocari. Sed ipse dicit quia non est quia
tene rei publice ut. licet terminentur et
non statuit lex terminum in statutis ff. de
iud. properandum / et non delegata non expirat
Adverte quandam dicunt quantum ad primam questionem
quia delegata potestas ab hoc dicit per mortem
delegantis non expirans re integra. Ideo
est gestum potest in parte quia ad hoc di
remedias requiritur sed amicis iudicii sed tota
in quo debet sic fors et primo resp. in
tat actum et rea. Ergo posito quod
delegata potestas est dependens ab ordinaria
sicut et quod delegans ordinarius potest re
vocare quandoque ff. de iud. l. iud. po.
Item obviatur in de pub. delegato delegati
princeps quia non revocatur per delegatum re non
integra. de of. del. quamvis et vi quia illa pte
dat a priori principis et hoc quia in eis
publica ut quantumque statut revocare
ff. de iud. l. iudicium. Immo tales est
opus legislatoris quia delegata impedito
non potest impedito si remanens exercitium du
rante delegato / et non expirat re
integra. Si arguas quod expirabit
est re non integra ... videtur quia dicendum non
potest dici transfusa quia possessio imp.
Sed hoc potest ut dixi de of. del. quantum
Sed primo primo de precedit ab hoc et
... et non expirat quantum ad terminos
capitulum ff. si certum petatur. cum qui
vult de ino lau ... alia
rac spiritali quia quod non potest alienare no

potest re et iud. deducere ff. de iud.
l. ait pretor quod multum est frivola
per no. in c. de accri de resp. Et
dicunt modo dicit. ubi quia si per litteras
apostolicas committuntur ipso mare ff. ex
tinguitur est si c. de dic. ... ut
... si ... principis q
statuat est de ... plani et dicit
si pie ... a domino atrebatensi
de ... et an ... opus
ante ... potest resp. alibi ... nobis
— Ideo ad ... ad c. tum et officio
de c. l. ... quia pubblicus certius
non potest committere in alium iudicem
non sunt. Et si in nostro hic non sunt
debet alium iudicem sunt si sunt
mittit per delegatum ipse ... fuit partium
de non declarando / Vel dic quod
etiam ... non potest facere alium sunt
iudicem. Sed hoc tamen quia verendo
vel permittendo iure. Sed sine
dicitur quia dato quod promiserit locus
est perterrit an hoc prestanda quod
non est ... c. i. Et dic quod non
... promisit iure. Sed est solum
et potest quasi contrahere. Vel dic quod
permittendo ... quod ab
hoc de ... de terra et c. de
... Quoque in his promissi
hoc per sane ... promisisse
litigare coram ordinario loci non
coram iudice ... generalia
legat. sunt in ... ut ... qui
generali ... ut c. quitanallie de
... promisit potest
iure potest conveniri coram ... iudice
quia ut dicit in ... c. ... dant

q' r. q ubicumque p't q's conveniri
coram ordinario c'ti loci [illegible] 2
ibi p't conveniri coram del' q no
s' de quo q'ra matae p' coram del
aplico q si ip'e esset ibi posset conv'ire
q' et ei' del. ¶ Capitulum mulier
mulier partur' fuit sorti tamen no p't t'gi
i virg. s.e. roma q. q' benedic. i vi
aut aliq' q no poterat t'gi i virg
vigore contractus s' excipite q'
missionis | de vide. bn. hat no
vl' p'e q s' quosdam patitur p'cite
attenta solu p'missione ipsa de
qua [illegible] ¶ Cum possis
dic q' i del habebat tollere p'tate
p'cedendi q'e hez ordinarius de q' videt
s.c.c. a. i vi et dicit s. o. c. fi.
2 quod credo verissimum q n'am aliā
het q' hez ordinarius (in a' hez)
for' respiciti it' quere' uxor form
c. roi q' q' benedic s.c. a. vi ¶
Capitulum fi. omnino q' om' vera q
no h'ent facult' declinandi . itez
s'tat for' inter antiqui et novi
q no t'ra' ad mi' coram del' ulti'
i' dictas desinib' ap'e dyart de
rescript' no nisi c. ty statuta i vi
n' ho' p't conv'ire . n' i lo. de
legatis ut i c. statuta q' i
nisi q' adhuc excipe poterit
aut aliq' q no poterat q re
mitt'mit q' p't q' i favore p'ui
p'. i' p'missio q' fe' hic opere'
et tollit' ab partibus dicitur Si
fieret solu p'missa de vide
fiet dici i p'edi'ta . dicit q

q' no posse t'ri . a' p'ti astatia re
mittendo q' p'o no remitt' s' spo
tes tamen concludo q' p' tle p'missu
remittet defense int' cuius p'
mittendo iure pars' q tamen ex
p'sse remitti dicere p's' si solu
p'missis solum q' glossa p'cipit bu
ep'tat' q alibi cognoscat ut i c. i
nisi . i no forte q alibi i petre'
licz glo de hac dubitet . p' hac dicit
aliq' q dicte q'p'iur' alo grtt'
vel delicti cum del' i pet'ur q
no plan' i not' i mo ep'at' p'isso
de solvendo ut ibi possit q'ri coram
ordinario et delegato . i . pet'to
¶ Capitulum vi penitentia dez se et
aliq' ep'ari s' de iure com' no tene
bat' iure n' coram suo nudare q
q' ep'a' p'iuty de i not' q si ad
de'impetai p'tenerat q'i n' ep'at'
p'iuty . Sz ep'at' solu q no posse
t'r'i p' delegatos et io q hic de
iure com' s' p' p'isse' patera' hic
conveniri n' mutat p'iuty ¶
Capitulum vii hic concessum erat p'iuty
ecclesias q' no contingebat ep'm q
gen' e' districtu [illegible] xii q a' dico
sit d'c ab q p'iuty i dulcu cum
bz p'cipit clericus ¶ Volo q sto
dicens q si p'iuty i dulget' lo'
tum si sup' i diferenti gaudebit
clerici et laici c' p'iullo q' sit de
loco q' alii i dulcu corpori ut
bon' vel ecclesias tunc dicit p' modū
[illegible] q sup' differenti no gau
debunt ut p'iu s' esse concessu q' gliem
i m' q'du q art' repugnat Si
vero sit i differenti tunc gau

gaudebunt. Aliquando est concedendum sub nomine appellationis ut si conceditur pluribus civibus omnia subeuntibus. Hoc non continet clericos. Oppone videlicet non potest quod remittatur pluribus ut de e. si deleg. quod dicit glo. ut de e. si deleg. [illegible] et est pluribus publicum aut et bene concessum in odium vel favorem et tunc non possit renuntiari. Quis. dicas quod potuit renuntiare quia erat privatum beneficium sicut munus tutele vel cure et similium de excusatione tutorum in principio et in missionibus et feriis renuntiari. arg. ff de feriis l. i. et dico probibenti nec [illegible] tamen Glera. unde prohibenti ne [illegible] non valet de hoc in decretis de rescriptis non valet de hoc tamen dic ut plene dixi de e. si deleg. supra in glo. = In glo. i. ibi contractu fuit idem in narratione et quod hic non fuit lis contestata quia opponebatur declaratoria que post litem quia non apponitur dare iudici in termino statuto contestatio non ff fuit partium supra le. i. de in statu cum [illegible] arg. ob de off. del. qui abbas quod non potest continere certas [illegible] impositas sicut contractus et vide ibi dyg. et de rescriptis [illegible] de e. quod [illegible] et in [illegible] qui in eius dare imp. i. vi
= In glo. si ibi expresse. dicebat glo. quod expresse probabatur per iuramentum fecit in litteras suas ut [illegible] fecit ante litem [illegible] in libello petitur de [illegible] et in probatum alias ff c. [illegible] et in probatum alias ff de pactis argentarius [illegible] aut
= et ibi [illegible] contestatio. oppone quod [illegible] solvi certo loco promisit actio est arbitraria ff de eo quod certo loco l. a. [illegible] contra arg. de [illegible] per iuramentum probabitur de hoc dic ut plene dicta de pen. [illegible] supra prima [illegible]

Causa tio ii ibi in quinta Licet. dicit quod [illegible] an clericus submissio [illegible] [illegible] [illegible] suis [illegible] sui

qui hic promiserat [illegible] ordinarie non delegare tamen de off. del. si et forte non est non dicitur de e. si deleg. In dicti quia habebat abbas ordinariam sed tamen capitulum congregatio in [illegible] in [illegible] quia [illegible] solus quod illa [illegible] alicuius [illegible] actu sunt [illegible] [illegible] quod alia [illegible] [illegible] sibi [illegible] ut [illegible] [illegible] [illegible] [illegible] [illegible] tacita [illegible] [illegible] [illegible] subditos [illegible] [illegible] efficiuntur subditi quia ordinarie episcopum efficiuntur subditi quia ordinarie [illegible] [illegible] actu [illegible] non sunt in laycis quia efficiuntur subditi sunt actu [illegible] [illegible] [illegible] quod [illegible] [illegible] efficitur in [illegible] subditi. Vel dic quod clerici sunt [illegible] subditi. forte [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] layci [illegible] [illegible] et vicarius [illegible] [illegible] et [illegible] [illegible] tamen [illegible] clericus [illegible] layco [illegible] prorogare [illegible] non [illegible] [illegible] domino et ordinaria [illegible] et est in casu [illegible] domino non fiat [illegible] fori = Oppone laycus prorogat non habito [illegible] sui ordinarii ff de iudi. l. i. et ii. C. de [illegible] [illegible] [illegible] l. si qui [illegible] [illegible] non dicitur quod laycus potest prorogare ut ibi [illegible] in clericis ut hic = Oppone de e. de [illegible] [illegible] ibi promiserat solvere [illegible] ibi [illegible] [illegible] ff de act. et obli. l. [illegible] = Oppone in de [illegible] [illegible] C. ne filius [illegible] [illegible] dic quod [illegible] non [illegible] [illegible] ad [illegible] laycum [illegible] [illegible] [illegible] ad studium [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ad eligendum [illegible] dic tamen ut dixi de e. si deligenti = Oppone [illegible] textus in [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ob [illegible] [illegible] errore

= in clericis [illegible] [illegible] prorogare [illegible] [illegible] [illegible] [illegible] [illegible] et ordinaria [illegible] [illegible]

p. errore ff de min. di. uel. d. ut
talis posset prorogare ipsa regula
ff q generat iii q non p errorem ut
ibi iiii q i ordinarium de of del p et s
iiii q i certa c. c. p aliquem / c / q
de app.ll sui cum ut . . . . . . / Decis. q reti-
ceg non pertinet ff de min. di. uel
l. si quenerit Decis. q non p metum
ff de uel l. ii dicta q sit ca de
q. posset proroga fieri = C Quod dicit de
subditis abbatis a quo itur ad ep.m
generalis n. c. loci. preuentiui nunquam
poterit i ep.m consentire sic app.ll abbas dicit
q sit sup quo vide i nota de of dele
ditis q et ipsi sint subditi ep.i sed
ob q de metropo.no dicitur q largandi
dicit meritas prelatos ut dixi de
of ar papali. C Atqui subditi
taliis ab. i canica ep.m potiue q
sentire cum app.ll solus abbas forte
non ut p sit equalis pono dicitur de more
de exces p. peius / ibi ne et pmiune
de quo i de una de rerum p mu
2 hoc probat lex sorrestas hic i textu
cum q prelatos ipsi i dicta a lege = C
Inglo ii ibi i Vitalis dicit q si i vel
acceptilatio s sup videt quartumine
quem q si tacitum pactum sz s scri
lis vocarime in. quar. / et ut
i t.lis i vem si sic modi tolleda ob-
ligationes unum cyms q unum cymis
non posset tolli obligationes imp qua
cum eas i obligationes imp qua
deducunt a stipulaco 2 tunc obligatio
liberatur acceptilatione. ab illa obli
gatione et sic acceptilatio quibus verbis
tales ne acceptum q debeo 2 r. tales

Si talis accep.latio pactis i fa n. oparatur
ut de c app.ti . .

Solo dico ii ibi pacto Legis signatura
q probat q p citacione i Valedam non sit
appetitus imp.ois vide glo de of del cum
plus de of del revocandi i. declinandi
ab alio. i. a te ut ab adversario suo ad
cuius i sancta fuit citatus 2o dicit
q exquo fecerat imp.a alius. vide
datum prima obtinuisse 2o i qui fuit
datus = Glo q p citacionem fit p ueto
p ueto = Glo q p citacionem sit p ueto
i ce q por que potest ut ut r. q por
i si = Et potes explanari c i que
=to contra ordinario q ad ipsi t citatu
i alia dyoc uel i puella q p. citacione
qua cum viro alterius fori vel i laycis
q p. citacione efficitur clericus Sz no c lenui
expo. de quo tu dic ut dixi de obliga
adratio. c uno et c lig

p. pot dem regula ii excep. iiii excepcionis
aliud excep. ii ibi q tu iii ibi p Lieg
q quas delicti addit uel qui delicti q
gerunt uel q s ut Legibus f. casibus, regula
hic tres ciuitates quasdam eas abusiones
portat past alu non ff de uel heres
abps c. p et sancti dicta / ut origenis
manumissionis. adoptionis. militie
dignitatis. matrimonii. priuilegii.
clerus qui. translationis. electe uolunt
rescrip. app.es. delegationis. tecum ma
nentes. conditionis. ppmissi. pro
gationis. negligentie uocationis. Reguis
quo feudalis. spine. Clericus Vagationis
ma ce p relationis. Responsio 2
vide i ipse de q que uel adaciono q i
ubi explicata l. ii mos Longra quar
de q dicit n. Basilica et yii di c. primo

mentis eam si probabilis uncos in uoce in uoce
tum si dicat exceptio reuendendi domum est
dilatoria ut C. de [illegible] et de except.
prescript. allegassi et probassi uel notoria
fuissi reuendi quia possum dicere [illegible] de
hoc non uel [illegible] sed [illegible] quibus ab par
tibus fiat. Item cum non est dum mar
de questione a. bap. Item ex causa iustis
quoque nouo reuendendi domum. ¶ Ut quia
in [illegible] quo [illegible] uolunt [illegible] uerba
[illegible] siue quiri in causa non [illegible]
acceptis ad ubi [illegible] eam probabiliter
et notiam si [illegible] ubi patet dicere
ob aliam eam uel et petere me reuen
di domum et dabit et dicere ubi [illegible]
si uolo me in quietare et [illegible]
[illegible] de l. ii ¶ legatis ff. de [illegible]
ubi dant exempla de legatis qui non eo
[illegible] quieti ubi iure | uel si [illegible] iuit
[illegible] ut testificetur in [illegible] non [illegible] in [illegible]
eo iure | uel si tutor iuit [illegible]
reddenda. Et concludas quod [illegible] ex
aliqua causa nouiter quietus habet uos ¶
[illegible] de l. si legatus [illegible] ff.
de [illegible] si legatus [illegible] in causa
[illegible] legatus [illegible] in causa [illegible]
[illegible] patet [illegible] ut ubi [illegible]
ii de l. eum qui [illegible] ff. de [illegible]
pecunia [illegible] eundem modum quod legatus
ubi [illegible] ex contractu alibi in
[illegible] non ¶ [illegible] de l. non [illegible]
ff. de [illegible] [illegible] delicti [illegible] in
causa [illegible] legatos tenetur
iure [illegible] aliorum delictorum ali
bi [illegible] non ¶ [illegible] de l. [illegible]
et si [illegible] ff. de [illegible]

[illegible] loquitur de causa [illegible] celeritate
[illegible] et [illegible] ut si
[illegible] causa [illegible] in [illegible]
ut [illegible] ruina [illegible] celeritate
[illegible] et [illegible] in [illegible]
[illegible] [illegible] uel
[illegible] ¶ [illegible] de l. [illegible]
[illegible] pecunia [illegible]
[illegible] ut [illegible] et
[illegible] ¶ [illegible] de
l. ii [illegible] ff. de [illegible]
[illegible] si legatus [illegible] in causa [illegible]
[illegible] alios [illegible] iure [illegible]
[illegible] Item si [illegible]
[illegible] [illegible]
litigare ut [illegible] si dubitet
de [illegible] ¶ [illegible]
[illegible] quod [illegible] contractus
[illegible] de lege [illegible] ff. de
[illegible] ubi [illegible] sic
[illegible] ad [illegible] quod [illegible]
in quasi contractu ut in [illegible]
[illegible] ad [illegible] et [illegible]
[illegible] non [illegible] contractu
[illegible] contractu in [illegible] cum testa
[illegible] et [illegible] non [illegible]
tare et [illegible] non [illegible]
contractum [illegible] ¶
[illegible] quod attendas quod legati
[illegible] quod [illegible] contractu [illegible]
[illegible] quod non [illegible]
quod [illegible] contractum alibi [illegible]
petit uos reuendendi domum et [illegible]
[illegible] alii [illegible] legati
[illegible] quod non [illegible] quieti
[illegible] contractus [illegible]
uel [illegible] ex [illegible]

p contracto ex quo permaneat intus ut
l. ii ff. legati ff. de iud. ¶ Adde q
finita necessitate officium statim ubi piace
rint quaeri intelligendo statim legati
sicut legatus ubi querat sit neq
necesse f aliquos per illos solos q quer
per ipsos [illegible] alios per eos primum verum
nec q privilegium hoc dat ne trahatur
ab officio q magis esset si posset tunc
q per eos ¶ Adverte tamen q quod
dixit q hoc tamen debet etiam dari
in dubio a principibus / alii q tamen hoc tamen
debeat sive reducendo roman venit apud
et hoc [illegible]. Vera q primum non reperitur
tantum iure nisi forte esset suspectus ut
vagabundus . Et est ista q dicitur
pro loco rei . Dicitur etiam in naturam ut dixi
in textu q sufficiat cum spolio et in fine
vel q petens restituatur et ista species
quaeris hic hoc ius quo puniatur q si
petat restitutionem agitur q proinde q
q non posset alias restitui tunc pro causa
privilegium est non et contra et decretum hoc
contractus quod partium forum ¶ q. f. c. non
contractus non sine primo pro a vi solvitur
cum fine primo [illegible] solvet
ubi in glo. quidam dicit plus solvet
opponitur de c. sig. b. c et et opposito
quod non prorogat clericis
per tamen in clericis non prorogat
possessio solvit et expressit hoc rove
contractus vel delicti sequitur iure a lege
¶ Oppone per hoc minime iure apud or
dinarium q. c. xi q. i. per hunc hoc
quia appellatio legis et ipse efficietur
ordinarius = Opponitur in mo. vel. q iudex
delicti non possit punire delinquentem
ut C. ubi senatores vel clarissimi l.
in et in q. si aetatis et c. intra
stipendia etc. procedit ex principio spiritu
puli de iure tamen ut hic ¶

addere apud de l. de militibus et l. ne
dum ff. de custo. reorum ubi miles de
linquens remittitur ad proprium iudicem ad col
lex vel C. de re mili. libro xii dum
quod delinquat sub proprio iudice glo. q ex
post solutio sit illa remissio ¶ Concluditur
g. q iudex delicti punire sit in mo. adde
glo. q ad illum debet remitti ¶ Ad hoc
oppone et xiii q. in ubi q aliquibus statutis prima
te ordinaria possit puniri nisi hoc est in ter
re esse iuris publici g. non debet in fieri vel
differri. xxxii. q. iii. si non expediret et q. vii
ut pridie vii q. i. si pias / q sit in tec iuris
publici p. per l. si arus ff. de fideicom. z
c. ut fame de sen. ex. Re. fatetur q
publice intersit punire delicta si per illum
cui est commissa impeditur a lege et ubi
ordinarius dotali vel delicti / at sequitur
hac possessio sit confuso impedimento ¶ Ad
hac idem apud et xxiii de l. 4. et l. ii ubi
idem apud et xxiii. Ubi sum. i. quod
de crimine agi oportet . Ubi sunt et vul-
garit ubi te in genere ubi te iudicatum
sed in eodem modo dicitur q. . . g. p.
ne per eundem modum dicitur q. per q. g. ps
remissione sic posse ¶ Sed quare quaeri
iura disponunt de remissione facienda
ut post extra publicum per breviorem ac si
et post exstat publicum proferendum ac si
nimia petere xxxiii q. in et in ipsa
ii q. vii quia apertius de iudicio ad libe
randa et ubi dicitur primum exiguum
arctu c. ii q. i. si forte et concludit
g. cum hiis omnibus et solvi corpus q tamen
legatum de facultate domini remittendi
et hoc in legato et in aliis. Ubi in lecto
ille hoc puniri q per nec contractum vel de
licto ubicumque alibi contracto non quod
licet puniri in urbe precedente officio legato
omnis. Alii dicunt ita legatos habere
vel non q non possunt q. ius contractus
vel delicti contractum in civitate vel
provincia per alios dicitur ex provincia
ipsum et legari per mentis in urbe

primum

tamen sicut mittitur lex si deleganti ff. de iudi. et
et lex cum qui q. iuliani ff. de constitu. pecunia
et lex nostra ff. e. tit. contractum esse illa
non a quibus quis sit celebratum desiderat ut lex
si restituatur et in actione tempore potentia
ut lege c. q. s. et si. dicens fuit et ubi agitur
ut l. in q. fit si agitur et tunc requiritur
per ab illis q. quas agit. Quere
primo [illegible] contractus dicitur
conveniatur partis quis forum ratione contractus dicunt
quidam alii quod conveniri in loco a quo habet domicilium a
qui duplex est illius fori scilicet domicilii et
tunc duplex est illius fori scilicet domicilii et
contractus alii quod habet in alio foro tunc si confert
potentiam contra locum contractus ibi convenitur forum
ratione contractus ut l. exigere ff. de iudi. c. l.
ratione contractus ut l. exigere ff. de iudi. c. l.
[illegible] ff. de acti. et ob. Aliter quod habens non
contraxisse ff. de acti. et ob. alii quod habens non
confert potentiam contra et tunc ibi convenitur si confert
ibi. Sed si nullum confert sed solum promittit
solutionem super tunc convenitur de loco contractus l.
ut l. heres absens ff. de iudi. Quid
nunquam possit conveniri in loco contractus dicit quod sic
si habet ibi [illegible] c. certum. Vel alias
advena [illegible] non dicitur alium sed sic advena
qui nihil ibi habet tunc sic quod hoc [illegible]
advena non patitur conveniri nisi ibi reperiatur
Dicunt forte de equitate ubi ignorabat
ut l. heres absens ff. de iudi. Item pone
in remitti quod bonis ad locum contractus. glo.
[illegible] et in [illegible] dicti et dicebat
quod sic si latitat adipiscitur delinquens
quod debet remitti ut l. cum ff. de iudi.
ut l. 4. [illegible] ubi de communi agi oportet
y de pri[illegible] ratione delicti ad contractum fuit
quod latitat fraudulenter quod tunc
fit remissio alias non et [illegible] in autentica de
exhibendis et [illegible] fuit opinio
[illegible] et habet sua ubi habet bona sua sed non
Item fit remissio qui non latitat sed in loco
contractus non habet bona. Sed non esse
locus remissioni [illegible] forte possit intelligi
quod heres ista opinio [illegible] de [illegible]

ut in ordine reparationis quod contractus
et delicta comparantur in [illegible]
ubi [illegible] est eadem ratio quod non [illegible]
in remissione. Quod dicit opinio [illegible]
contra [illegible] l. heres absens ff. de iudi.
ubi quod [illegible] si ibi inveniatur
[illegible] si ibi non inveniatur non remittatur
Item alicubi habet in [illegible] cautum
[illegible] [illegible] potest citari et [illegible]
[illegible] ad missionem [illegible] q. q.
heres in vi Et [illegible] quod [illegible]
quod dicens quod certo loco esse [illegible]
quod in [illegible] quod [illegible] non sit
[illegible] loco [illegible] permissum est
ad [illegible] si compellere [illegible]
contractus [illegible] [illegible] c. [illegible]
remedia q. [illegible] non
in [illegible] remissio et [illegible] quod non
de rap. c. 4. Sed [illegible] an ordinarius
contractus possit citare contra locum quod
contractus [illegible] [illegible] an
possit contra [illegible] territorium
quod citatio [illegible] et textus
[illegible] quod sic in q. q. heres [illegible] quod
[illegible] iudicis fiet citatio [illegible] de
iudice delicti ut l. [illegible] q. aperi
[illegible] et [illegible] tunc
ut [illegible] non [illegible] de [illegible] non [illegible]
tunc Item arbiter citat ff. de
arbitris [illegible] et si [illegible] q.
non [illegible] territorium ad [illegible] de loca
[illegible] de [illegible] sicut [illegible] in [illegible]
contra [illegible] de pen. [illegible] quod [illegible]
[illegible] de [illegible] in vi
[illegible] textus in [illegible] de re iudi.
[illegible] quod tota [illegible] contra territorium
[illegible] non possit [illegible] quod citatio
[illegible] in vi
In et hoc [illegible] quod posset non
citatio ad [illegible] sed in forum

gtuariā ppt' q' predat' admissione
et ad penas nō ī ferētes uel
fugētes ppōm ibi io mochi ī
q q̄rentes dicebat cū tuc' de
qp ordinari' domin' cuiaus ī a de ar
q ī l. acc et eius ī a. bu q
ī l. hec abses ff. de iudi q uocs
pupillas tenetes p̄m ꝓdet q
p cuius eō territoriū nō dat iurisd'
iurisd' eō p cuius obedien ratiōe
q dic. ē acti ī ciuitate bonis
ī terlocutōe confirmado q̄ fit ī pria
cutorium. alr acti inuenitur q
nō ē iurisdicō. ad ea ppost
ridet q ī q̄ nō erat iudex dat
cū delicti uel q̄t et dicebat
ī noīe q nō erat mirū si fiebat
missio q̄ nō gtuarie q fit et gerit
absete cū rei publ'ce et q. pub
pupilli q̄ nō pōt gtuacs ff. ex
cās ī p̄ f. ait ptor et. l. si pu
pillus ¶ Desiderētes eptionē q̄ sig
nat adueniu alic' q cuius q'ū ī
cuius erat ī ea territoriū s
tpe eo' erat eō. alij dūt q
si missa ū pōt pōt publ'ce citari ī
loco delicti et si nō gparcat pōt
eo' ad mitigan' uiri p alic'
nō p̄ iure bn s dispu' ¶ Itē
q ordinari' domini habebat fa
cul'te cuiaus eō territoriū cita'
ī ferētes gtuariā ppt' q posse pōt
di q̄ ppōm s ordinari' delicti
uel gtract' nō ut ī ferens gtua
riā ppōlis nō q ordinari' domini
s ordinariū ī ppriā obietiōe pōt
nō inuiis dominiū s ordinari' q
tract' ī iudex gtract' ꝛ roē
gtract' ī bm gpetente ī iudex
pp' pōt dicas de iudice delicti

a ppriā ordinari' domini cognosc' de
gtractu alibi ī ito uel delicto alibi
cōmisso de rap c. p̄o exclus' ī fin. nō
dūt q ordinari' domini cuiaus ī terri
torio ppō gtinet ppōnā q̄ si nō gparcat
parte et eo' publ'cū alibi eptitē ꝛ
nō' eo q ii cum. licz ī nat ftr uidea'
tenere q̄m. s lo' ī iudex gtractus
q pōt dūs mei ī iudex quodā q ppōo
tulit sntā execut q nō pōt fieri eō
territorium ff. de iuris. om. iudicū posse
l. cū unu' ꝛ. s. c nō q. q̄rētes ī ibi ¶
s si p̄uderas uid' hoc p ibi eētā loq̄'
de executōe locū et occupatōe s pria
cōpūs nō occupat locū q p pōt gtinet
adam q nō ē occupādo locū q iudex
domini nō s' uis eō territoriū q pōt'
eo' gtinet adam licz ꝛ bm que
corpus ordinari' bo' gtract' bn pōt
citare citados ī ferente gtuariā p
ppōlem et credo tex' ī q q̄rētes
s fiet missio si ibi hūit bona s
alibi dicimet fieri missionē bonorum
q sp alibi ꝛ iudex bonorum exeque' pōt
explicat ibi tex' q iudex gtract' ¶
quid si ibi nō hūit bō nō pōt ful
minare ecpnam mlto fortius ī iudice
et de hoc plenius bede q dixi ī tract
tatu decetū ten. ubi est explica
ui q statuta tūc debeat puūo et
aliq le' tetigi de gpue ꝛ tole ¶ Queē
an habeat gpue' q nō fiat missio s
s q nō fiat p iudice domini q ille
pōt punire. c. s. de cōnie agi opt
l. a. s q p alios nō fiat nō s q
p ille offen'tur publ'ca utilitas ff.
de fideius. l. s arro ¶ Queē ne
gtract delictū cōmissū ī territorio pōt
ī ne iudex cognosse dīc q pōt de

fortiri v. de calū stant fortit
et ff. qua p. dno ut l. ij C.
de civi et i colis ff. 24 gl. obla

qui rei admittant lit. peler pas…
libellos ut sciat q petat et qua…
z ppt quo debeant i… ff. de p…
extractum de iudiciis et de foro…
de li. ob. de mi. m. …
q …ario admis… ff. …
… ipsū noll et fuit l. …
qui forte … i pimo i …
istas … forte …
… sicut …
figura

p. part. app. …ola appellat ij
… z iudicu dato ij ibi …
p. …de ap. …libus deculium.
i cu ap… …uocaint dec. q
iudices nō … app. …
i … fiat … i … dec. q
… de iudi exhibita p. c. dat.

p. part. …ola ij iudicii dato ibi
… q …ra… esse q …re i apt
… C. explicando glassatoz
… que quod fit libell…
… de q … i cū …
glo d. q … i cū …
C. … q fit libell. de … lis
… fortuna i rem actions q
… q … de …
feres … ut l. aplis
… q … C. de ap. q i
… dez offerri ut hic et aucte
offeratur in q m olim nō dabat
pete i … solo … i …
… acto ff. de eden l. i. q
… q dez … libellus de q
q … actoris rei z iudic …
i … fim … i forte q
… peticionem in q m offerat

Cum dez offerri de iudici … C. de
exhibi … f. incīem. C. de lit …
i aut offerat. C. Rn dez offerri dicit
aliq ut … q an citatio … plant ar
dicam rubricam C. q pimo … dec
tendo … de i … tendo et est
… all ff. … pe. l. a. C. i …
… all. lex quida ybernus ff.
de … et … debitores C. de pig
ff. de … i … l. cū postulasse. Alii q
q … citatio p autentica libellu C. ey
z p ordine rubricarum ff. q. Ite dr
aut offerat ei libellus qui …
… q … ite i …
… fuit an libellu ff. de …
… l. a. q … citatio … q pimo ei
… C. … de … ita de
… tenet q an et … i aut.
offerat … q offer iudici z
… ille q iudici offer dez …
an. … citatione
q. … i pen. … de …
… Et … q … citabit
… iussu iudicis C. de exhibitione re
… l. iniciem. Iudex q. debz …
… libellum citare debz q
libellu offerre ut iudex sciat …
reus dez citari z p … nō …
q de i … iudex … illu
i peri i … adhuc …
offer … fuit i … i citacione z p
… mea q … fuit …
q … actor dez … i libello
q … ad fine lit. an q nō est
… C. … libellu C.
de lit. C. … i …
… illu … ut i …
… C. de … et … Ite alia
lex d. C. de … l. …

Iure peractorum in interruptionem prescriptionis C. de p̄
s̄q. xxx vel xl annorum lex prout [illegible]
[illegible] si non daretur an libellus renovetur
mittatur in aliis actionibus in quibus fieret
interruptio || Dico tamen advertendum quod aliquando
quis agit actione que non exigit aliquid preparatorio
et tunc cum citatione mittitur sibi
libellum ut C. de prec. de dila. | Aliquando
vult agere actione que exigit preparatorium et
tunc cum citatione mittitur aliquid
ut videat in principio an sit heres talis
vel an possideat sicut cum libello
scribitur in interrogatoriis contra eos que
[illegible] quod interrogationes fuerunt ante libellum
ff. quorum legatorum l. i. § qui autem prior
alii dicunt quod fuit prius et ante litem contestatam ff.
de interroga. l. de etate § quod tacuit
et ubi notatur. ¶ In quo loco
debeat offerri hoc dicendum quod [illegible]
[illegible] si aliquis debet ferri in iudicio
prius quam offeratur iudici et in hoc loco in quo
pro tribunali sedeat l. si. ff. de di. et bi.
[illegible] alios ubique potest porrigi et hoc
verius quod ille non est actus iudiciarius
et ff. ff. de adulte. l. miles § [illegible]
et ff. de interroga. l. volunt § qui autem
[illegible] quod debet porrigi in iudicio ut in
aut. offeratur ¶ Quando debet porrigi
dicitur quod sufficit quod detur copia [illegible]
[illegible] expressis rei | sed tamen preter
[illegible] est ut fiat in copie [illegible]
[illegible] alia res alia vero actor ¶
quere ubi ¶ Coram quibus iudicibus debet offerri
dicitur quod coram ordinariis ut autentico offeratur
/ delegatis de dila. c. prec. et arbitris
quod arbitria sunt redacta ad instar
iudiciorum ff. de arb. l. i. In qua lingua
dicitur quod in vulgari scribus fieri | [illegible]
[illegible] actores ut [illegible]

ius primi et in mixtura unius sui
fundetur iudicium ff. si pars here. petatur l. i. Item ut debet
libellus an debet cedi vel [illegible]
ut aut. offeratur ¶ Item iudice
ut petat quod debeat fortiri primam
ff. communi dividundo ut [illegible]
[illegible] hec [illegible] a dena quod iudi
ce non [illegible] in favore iudicis
et in dubitu quod quibus procedatur in
libello in autentico ut [illegible] apud
[illegible] § [illegible] ¶ Item autentico
rei et introductum ut [illegible]
[illegible] || [illegible] tamen in [illegible] de [illegible]
in l. prima et aut. ubi [illegible]
C. de pen. ~~[illegible]~~ [illegible] ¶
Item [illegible] · quod debet offerri
libellus · glo. [illegible]
sit actor in glo. C. de lit. cont.
aut. offeratur [illegible] in [illegible]
tenuit [illegible] / [illegible] aut [illegible]
[illegible] ut non tradatur in scriptis
et [illegible] tacite licet non expresse
[illegible] ut [illegible] tradatur et non
[illegible] tacite [illegible] expresse ut l.
ut [illegible] ff. com. di. de do. / [illegible]
si dicitur quod libellus petitur et
offeratur et [illegible] processus si alius
ordo sit [illegible] · quod [illegible] petitur
non offeratur · et tunc non [illegible] processus
quantumque alius ordo sit [illegible] quod
licet libellus possit obmitti
expresse ut aut. [illegible] C. de
[illegible] et [illegible] · [illegible] tamen [illegible]
ut l. [illegible] C. de pen. | aut petitur
si non offeratur [illegible] nulla [illegible]
[illegible] processus [illegible] ut
aut. offeratur [illegible] ut

q non licet remittere ... licitum est

ut l. libellorum ff. de accu. secundum in omnibus
criminalibus de quibus dicit ut in nota C. unde
in cle. dispendiosam de iud. iuncta cle.
sepe de verb. sig. Aut offertur et non pe
titur ... recipietur et tunc videtur va
lere processus quia favore rei sit in
troductum quod libellus porrigatur cui
non potest renuntiari ut l. si quis in conscribendo
C. de episc. et cler. Si autem reus
petit non dubium an libellus sit porri
gendus et videtur michi loquitur libellum
non porrigendum ... vi. processus te
nere ut l. i. C. de his qui ... eum
in petitione ... vi ... videatur
errorem expressum dependere ... ff. ... me
... app. ... l. i. et idem quia
non grave errorem ... non arguunt in
... sic tamen remaneant ... si in ...
... introductum est quod et ... nunc
non posse renuntiari in nota et ... unde
... quod debeat offerre tamen ... di
cebat quod de iure ... de ...
de iure ... non ... glo.
... dissolvi ... dicit
quod unde ... glo. in cle. sepe de verb. sig.
Cum in autem offeratur tamen ... quod ...
... petitum ... proprium.
offeratur ... glo. in cle. sepe dicit
quod sufficit libellum porrigi ad modum
posite si ipso petat et actio ... con
... ad modum libelli et in hoc est ...
... in quibus proceditur de plano
... illis est si petatur satis est
quod porrigatur ... quod ... in te
... agentes ... est ...
... in ... sola
... est si non petatur ... quod tene
quod sit de substancia ut in ... C.
primo et autem offeratur C ...
dicitur ... libellus C. ii et ... hoc
exprimitur cum glosis ... Condicio
... glo. C. ii ... aliter tamen exprimere
... quod debeat ... dicere quod

rei quantitate petitam et etiam ... tamen
... in ... et ... libellus
est ... ut l. edita C. de
edendo. ... negative ... dicit
glo. quod in ... exprimi ... actio
... non ... exprima
... ut ... agere ... post
me declarari ... et ... restitui ...
... exprimere etiam quare ... duas ... in ...
... exprimi ... sufficit
in ... quod in actione reali ... in
... est ... si ... C. de alie
... ... l. una ... iuncta l. ...
... rei ... vana ... vane ...
generaliter. Alia ... quia ... non sit ... duas
... exprima ... ff. de act. ... l. in q.
... de fide in ... in ...
... sit quis se obligaverit ... ex
causa ... exprimi ... et si agatur
reali exprimatur ... ... quod ...
... potius ... Tercio si
non exprimatur ... dominium quia tunc ... de
... in ... et ... dicebat
... quod reus ... petere ... legere ...
... exprimi et ... glo.
in l. i. ... ff. de eden. ... ex ...
in l. edita C. de eden. et dicit quod in nota
... actes requiritur ... Venerat apud
marchiales ... ... erroris in
C. ... in ... in ...
... ff. de ap. ... dicit quod in ...
... non ... exprimi ... tamen exprima
... potius est ... et si non ...
in ... sit agens ... sit
exprimens ... alias ... sequi
... C. in ... si non ... et ...
... in nota errasse in C. ... dicit quod
nulla exprimens ... deducat. Tercius
si una exprimatur quia tunc non concluditur
ab aliis. ... quod ... quod ...
... comprehendit ... quattuor ...
quod ... possunt exprimi ... actus
... quod ... cum legem non ...

pinia p(er) argento rei uend(itae) nisi [illegible]
n(on) cu(m) pig(no)ri(bus) (et) exa(cti)o(n)e · hoc notatur
in l(ege) si rem in f(ine) ff de pigno(raticia) ac(tione) (et) in l(ege) ...
... ff de uendi(tione) ... tamen tenent quidam quod
qui p(er) agens rem uendidit non erat d(omi)n(u)s tempore
... et p(ost)q(uam) efficiat(ur) d(omi)n(u)s / sequitur
p(ro) eo ... · ... l(ege) si rem ... ff
de pigno(raticia) ac(tione) · c(um) l(ege) si mandauero ff
mandati · et l(ege) si n(on) mortis · ff de ... offi-
... et l(ege) si ut ... i f(ine) · c(um) q(uibus) et ut
... in ... l(ege) si rem ... q(ue) ...
... quod ... exceptione actoris
... exceptione rei
causat ... possessor exceptione rei
... tempore ... · q(uod) et
actore ... ff de rei uen(dicatione) · l(ege) si ...
... ff de petit(ione) he(reditatis) · l(ege)
... et l(ege) ... et l(ege) si
quo tempore · c(um) q(uibus) · et l(ege) ... ff de
... et ... tenent quidam
... ff de uendi(tione)
... l(ege) non ... et l(ege) non ... ff de ...
... l(ege) si rem ... l(ege) ...
et ... l(ege) si mandauero ... l(ege) ...
... et l(ege) ... et l(ege) si quo tempore
... in iudiciis ...
... l(ege) ... ff de rei uen(dicatione)
... ubi exceptione rei erat
... et ...
... possidere ... et ...
si exceptione actoris ut l(ege) non ...
... exceptione actoris ...
... et ...
... ff si ... petat(ur)
... et ...
... exceptione actoris hoc quod ...
... quod ... l(ege) ...
... exceptione rei ... non ...
... si possidebat ... et ...
desinit possidere · ... l(ege) ...
... possidere ff de rei uen(dicatione) et l(ege) ...
si dolo desiit possidere ... ff

de re iud(icata) l(ege) ... ubi si
dolo ... quod ...
... non posset ...
... actio ...
... et ...
... possessor ...
... et ...
... ac ...
... et ...
... l(ege) ...
... et ... actor ...
... admittit(ur) ...
... et ubi ...
... fauore defensi/et
... appellans ...
... de app(ellationibus) ...
... non ...
... de app(ellationibus) ...
... ubi ... ad ...
... ad ...
... si petat(ur) ... exceptione
si ... de ... ut l(ege) si ...
... si ... erat d(omi)n(u)s de
... et ...
... exceptione ... rei
... ff de rei uen(dicatione) · l(ege) si ...
... non ...
et non ... ff ...
... l(ege) ... si ... ubi
... desiit possidere non ... cum
... rem uendidit ... ff
de noxa(libus) · l(ege) ... rem uendidit
... possidere ... dolo desiit ...
... exceptione ...
... de ... in
... ff de rei uen(dicatione) · l(ege) ...

ff. si is et ita ex dictis § i. l. quoque C. utiles ff. de aqua pluv. arcen. et ibi per eum. Item si porrecto libello et dato termino reus desinit possidere, an condempnetur? ex[illegible] dicite quod non [illegible] quod sit et arg. pro. quod si desinat dolo possidere, pro[illegible] licet contra [illegible] ex[illegible] dicite ut [illegible] pro[illegible] quod contra contumacem ne deludi possit actor. Reus hic [illegible] a quo porrecti libelli quod si non dolo sed culpa desinit possidere, [illegible] desinit possidere lata culpa et tunc pro [illegible] dolo ff. de [illegible] l. si non in [illegible] desinit possidere, levi culpa et [illegible] licet [illegible] vel dato libello porrecto et tunc non [illegible] videlicet [illegible] unum [illegible] [illegible] de eo [illegible] desinit possidere post licet [illegible] tunc [illegible] ff. de rei vendicatione l. si culpa et ibi [illegible] et [illegible] l. qui petitorio § i. et l. si [illegible] [illegible] quod post licet [illegible] [illegible] [illegible] [illegible] ff. de [illegible] l. [illegible] duos § si [illegible] post licet nullam culpam [illegible] ff. de rei [illegible] l. [illegible]. Item si [illegible] in libello rem admi[illegible] iure domini quod videtur de [illegible] in [illegible] glo. in l. si. ff. de except. rei vendicatione [illegible] quod directum dominium [illegible] [illegible] in [illegible] ff. si ager vectigalis [illegible] [illegible] in [illegible] de [illegible] [illegible] [illegible] in glo. [illegible] quod agens publiciana [illegible] utile dominium [illegible] et l. cum [illegible] ff. de [illegible] [illegible] domini directum et quod dominium et utile [illegible] [illegible] rei vendicationem directam et [illegible] [illegible] rubrica de rei [illegible]

dominium [illegible] [illegible] rubri[illegible] de publiciana utile [illegible] utile rei vendicationem et [illegible] rubri[illegible] si ager vectigalium [illegible] glo. quod solum directum dominium videtur [illegible] [illegible] l. si eum [illegible] § si fundum ff. de except. rei vendicatione [illegible] [illegible] utile allegat [illegible] si [illegible] si [illegible] ff. de [illegible] allegat l. si [illegible] § [illegible] ibi in glo. [illegible] de [illegible] [illegible] l. [illegible] dicit § [illegible] ff. de [illegible] de [illegible] [illegible] stipulatio § [illegible] ff. de [illegible] [illegible] de [illegible] in [illegible] de litiga § i. [illegible] si [illegible] rei vendi[illegible] et directo iure domini [illegible] de directo vel utili [illegible] quod [illegible] [illegible] publiciana ut l. [illegible] § i. ff. de publiciana [illegible] l. i. ff. si ager vectigalis [illegible] quod ibi [illegible] admitti non [illegible] ad [illegible] referri. Item si [illegible] rem admi[illegible] iure domini vel quasi et [illegible] iure domini [illegible] [illegible] agere publiciana quod iste libellus admittatur [illegible] glo. [illegible] alias [illegible] quod [illegible] solum [illegible] eligere et [illegible] et [illegible] [illegible] [illegible] in [illegible] [illegible] alia. glo. [illegible] quod [illegible] [illegible] appell. [illegible] et [illegible] publiciana [illegible] [illegible] si [illegible] non [illegible] ut si [illegible] [illegible] ff. de [illegible] l. [illegible] et [illegible] Bartolus in l. in [illegible] ff. de except. rei vendicatione. [illegible] [illegible] possit agi [illegible] [illegible] [illegible] ab [illegible] [illegible] [illegible] actori [illegible] [illegible] non [illegible] et tunc si [illegible] rei [illegible] et tunc agi [illegible] non ob except.

rei iudicate ut l. iii ff de fere § 2 · l. q isti in pri°
ff de pecu. et no. in l. no pt ff de iudi
Alii distinguebat quia aut agitur actionibus
pendente iudicio superueniente et tunc obstat exceptio
de petito et non obstat exceptio ff de pigno. ac
l. si rem in fi. et l. si mandato § si tibi man
dauero ff mandati. Aut superueniunt exceptio no
ua et tunc non obstat exceptio ut l. actiones
in fi cum l. sequenti ff de aq. plu arce
et l. no pt ff de iudi. Et hoc
et l. no pt exprimatur causa sua non et
hoc sit exprimatur ut l. si mihi § eadem ff de except
rei iudicate · l. sin. · l. no. pt ff de
iudi distinguit / alii iudex pronunciat super
eo quod contingit de petito ante iudicium in eo
quod alii super eo quod contingit pendente iudi
cio. Alii super eo quod contingit ....
primo tamen et de nouo fuit deductum in
iudicium et ... ff de iudi l. solent
et l. de quo re. Aut non erat deductum
in iudicium et non ... de fidei commissa l. si
... tamen alii superueniunt noua et actio et
noua causa et tunc excedere in ... non pt
... ut l. no pt et l. no ... in
... Nisi depederet a prima
ff de iudi. Nisi ... ff de
... ut l. ... § ... ff de
edi° edicto. Alii superueniunt noua causa de
preterito et tunc ff de pignor. actio
l. si rem in fi et l. si tibi mandauero ff
mandati. Alii ... noua superueniunt
de nouo. ... facultates diriguendi actionis
... possidebas ... predictis
tunc ... ut l. si ... ff de rei uendi
... superueniunt ... definito
Ipse ago ... cum ... ut
... admittere ... causa
non ... quod uel alias ... fuit. ...
... iudicio superueniunt ... includitur
in hac iudicio ... quod non ... causa
sed narrata ... factum et ... ut ...

... superuenientes alias factum et tempore non
... includitur ... alleget ... mihi
solum generaliter et superueniant causa de
preterito ut ... supra dixi ... Quaero si exprimi ...
nota ut parte ... dicitur ...
et non probaui de tempore ... non apparet
... fuit ... dicit quod ... quod
... absoluetur ff de nego gestis
l. cum actum in fi. Quaero agens ... li
... debeat exprimi factum et tempus
... agens ... libellorum ff de actu
... quod non ut ... testium ... non
... tempus de ...
... cuius super quo deponunt ... quod
... cum ... in ... quod
non est necesse exprimi in libello. ... testes
... deponunt et hoc ... in
... actio ... descendit ... di
... agens ... ff de ...
... l. ... prior in pri° ff de ...
... l. prior ... et super de ...
... exprimi ...
... sufficit quod in ...
... non pt
... ff
de acq. poss. l. iii § ... exprimere
... in hypothecaria ... fuit
... l. ... ff de except
rei iudicate ... Bartolus
ibi ... quod in ... et fuit ...
... de ... in l. ... § ... li
bera ff de pigno. ac. Quaero in ...
affirmatiue et negatiua ... dicitur
quod in ... exprimi ... ff de
... ff de aq. plu arce
l. in ... Quaero in actione ...
ut ... petitione ... quod in
realibus non pt quod cum ... ex
... et ... ut l. ...
ff de castrensi peculio / ... realibus ...
realium ff de except rei iudicate
§ si ... et l. ...

C. De actione in rem scripta ut ad exhibendum
dicitur iudicari super minimum [illegible] ff.
ad exhibendum. l. in f. i. C
Pro dictis de actione et obligatione est
nota quod actio quam obligatio textus
dicit quod non nisi obligatio est mater actionis
ff. de precario l. [illegible] § ea. Petrus tenuit
quod fuit [illegible] et forte non male quia
in quibus est creditor et debitor [illegible]
[illegible] est actio [illegible] debitoris est obligatio
[illegible] quod actio et [illegible] in [illegible] eadem [illegible]
[illegible] dicit [illegible] tuo [illegible] ligatum
[illegible] est [illegible] et [illegible] ligatus [illegible]
[illegible] C. [illegible] agens exprimere debet
nisi obligationem dicens quod sit et hoc
[illegible] de [illegible] quia in reali exprimi
[illegible] [illegible] ut l. in rem
ff. de rei vendicatione. quod in [illegible] [illegible]
obligatio quia agens reali [illegible]
[illegible] [illegible] / probatur quia hoc non
[illegible] mutuavi [illegible] debito quia
[illegible] est quod [illegible] vel quod pactum de
non petendo. C. [illegible]
de petitis [illegible] obligatum / [illegible]
[illegible] cum glo. ut not. in § ac
[illegible] de ac. / [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible] de [illegible] [illegible] in [illegible] actionis
[illegible] [illegible] ff. de [illegible]
[illegible] C. [illegible] dicit in [illegible]
[illegible] apponi [illegible] [illegible]
[illegible] de [illegible] C. [illegible]
[illegible] explicando in [illegible] [illegible] in
[illegible] petitio de [illegible] [illegible] res
[illegible] explicare [illegible] et circumstantias
[illegible] ut l. [illegible] ff. de [illegible]
l. in rem ff. de rei vendicatione / et dicit ut ibi
[illegible] [illegible] [illegible] colore [illegible]
[illegible] [illegible] C. [illegible] ne
[illegible] dari vel [illegible] [illegible] et [illegible]
[illegible] glosa tenet [illegible]
[illegible] non [illegible] [illegible] dicit
[illegible] [illegible] [illegible] [illegible] quia [illegible]
[illegible] ut [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] et [illegible] ff. de noxa
l. [illegible] de [illegible] [illegible] [illegible]
[illegible] [illegible] petitio in accessoriis [illegible]
ut l. [illegible] ff. [illegible] de [illegible]
[illegible] edicto. [illegible] [illegible] in actionibus
[illegible] [illegible] ut [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] non petit [illegible] [illegible] agens
[illegible] petit [illegible] [illegible]
[illegible] et [illegible] [illegible] ff. de [illegible]
l. [illegible] agens [illegible]
petitione petit [illegible] de [illegible] [illegible]
[illegible] [illegible] C. [illegible]
[illegible] [illegible] [illegible] C.
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] C. [illegible]

uersi ... mut. 2

qr iure ueteri poterat mutari
inim libell ad primam ff de iud. c. ...
... nunc tradictis solu... ad hoc gtp...
ut l. properandu C. de iudiciis | Dicitur
nunc auctent. ... ... c q no possit
mutari ... ... instantie -
in no ... instantie et actore ad
... ca terminabit^2 ut in auct. ...
q pet ... quo et qui iudex ... dopne
... tenuit q est hoc possit libell
ad primam ... in libelle^2 mutari f mim
ut auctent. q pet. ... alle.... l. q fudi
ff. de lib. et ... ar. | q hoc no pbat
... ... c ... . de ea q ...
tenuas ... glo ... c - cam
de do a gtu = ¶ Nota q ... dos
q ... c emendare q ... pro
mere cu ... aliquo c erratum eme
dare / et hoc patie ... de iud.
... q ... ...
... et ... ff ... maior ... ...
... ... ¶ ... emendare cur
qualitas ut q dicebam te scire
... ... te ignorare et ... ff
de noxa. l. delictis ... ¶
q ... ... dicte
... ... no augetur.
¶ ... ... cum ... quidam in
libello ... ...
... petita ... accessoria ...
... ... augendo uel minuendo
hoc ... infra ... q muri
... et ... ...
... accessoria ut fructus et ...
... q libell ... ut l. edulis
... ... quod ...
... ff de ... ...
l. fudi = ¶ ... ...

...ut accessoria q ... ...
hoc gtp ... ... in
libello ... no potest augeri
uel minui ... ut ... ut l. fudi ... alleg.
¶ ... q ... ... hoc gtp ... ...
... offo ... ut l. edulis
... alle. // Innoc. ... rubrica fortt
... ... petebat domum q ...
petens ... no dari ... ...
no ... .
... ... fiet
hoc gtp ... q no ... libellus no
porrigit q ... .
¶ ... ...
... q ... ... ad
... ... no ... ...
... ... de re iud. c. ... ... hoc
... ... c. ... | In ... mutat ...
in ... requirit^2 libellus ... ...
no ¶ ... ... q ... ... ad
... dari uel ... uel fisco applicand.
... requirit. libellus / ... in modicis
... in ... ut in cle. ...
deber ... ... ex
offo no requirit ... ...
... ... requirat^2 et ... no
¶ ... actor no ... ...
... ... || q ... ...
... ... q no ... ...
... ... in ... ...
... q ... no ... ...
deliberare an cedere uel ... ¶
... in ... ...
... ... l. ...
¶ ... ... cautela ... ...
... no ... ... petebat ...
exigimi ... ...
hoc ... ...

corp eodē uidet ē de pris si ult f pupillus
ho. p. auctā̄ 2 quē. C. e ti dispositum
q no pt corp alio ī petē pt. pt. actor
subtfugē uidetur illud uidet corp deb
q p. ac tex. i. q. re. q3 e. dispedia de
2 pi ī B q. Queri in corp q. ius uidet
fi posset aliqd legiste tenet q. solū corp
deb ut pt actor tenet pati reque
q. ī pet ut ad iudicis comes eu poss
eu querere corp ordinario ff. ī odiu
actoris ē q. ī dictu q reus posset
eu requirere ut auctē et quē C.
de pris / et pt prm requirere corp debto
fiat q. actor ī petendo no ē q. fuat
opus unie cū decl corp ordinario
opus unie cū alii et. seq. dic
q pt ps ē corp ordinarius q. fuat
f. gt legere tacite prog actus 2
hat opiuz te glo ī dcō auctē quē
hat corp arbitrio no C. de arbi eu dic
corp arbitrio no. C. de arbi. eu dic.
Queri an q. cās hat locū
de. In q no ī criminalib. q. no re
lucrac cōmino ex ī notoriu reus
p. gat in q ipo negāda ff. de pub
iudi l. is cui. Addic q q in ī bō
p. illa mul q. pt depoi ī spico
p. accitū / pt cst ps reactu. de
maiori cāme de tū q. alie acties
maiori cāme de tū q. alie actiones
no prodiut. Dedat in. leg fiat ī
no prodiut. deb. pn. leg fiat ī
spico no tū p. codit sup illa f. d
pma finita / q. verū in ī actupa
tres me de maiori q. tū sup
pdit. pt. Ett g. de merces q.
nug p cedit sup actusiois = Quid
nugi actu. cānt posset requiri
cymulti d. q no ī mo. q plus ē
eqs sup pedet cymuli pig ī totate
C. de ordine iudicio f. l. / Resp
ī q dic qda legiste illa loqui

qn cāme sup quo requirit. ages
cymuliē gēt d. sup quo agit
cymuli ut peto cētu d. promisisti
et tu requiris me sup violencia
q me lesit ī promissoe / q q pt q
q. ī verū / q q. accitū no admitti
cymulis reque = Querebat ē
vtrq dapit de calupnia posset
alii actu. decebat q no q.
efficac ī famis ff. est poss q. dispq
de cāme famoso q ī famat ē
uel ipo fco p. pinam :- q verū
ū ana depofuiss ī spicoz m. q ipo
negāda = Videt g. q optetur
ī pspico. q. p. cpm dapitus de
frāudo no posse actu. nisi ana
ī peipisse = Pōs pt etiq agit q
laytū sup uidere pote nug pote
requiri de cāme hoc dī decebat
q pt p. cū cāme cymule decl pi
cāū. Alibi f. ī c. dispedia
distiguebat ar. dy. ibi cāme
requirere dif de pictoz 2 tūt no
requirere dup de pictoz 2 tūt no
ue q. cst. at pt / q. dcā req p
no. C. ti ii resp et de elic. q uist
ī. Quo ī Qi = Querit. In am q iudex
poss cognoscere p. modū reqūicois
de ea decl. at no parius cognoscere
In q te. q no alcius q. d. l.
quocis C. de iudi p. illam l. p. adi.
ff. de ius at uidi illa una loqui
de ea decl. no pt iudex cognoscere
ff. quāntitate expressū = In hoc
de ea de q. no pt iudex cognoscere
ff. p. silicate et maiora uel minor
ueq ut si ago peccuniā et bos
me requirere sup ea fratro q.
te differunt spē C. de re q. quintus

.. mis ... ...itucionis fit
... ea appellatio fit requisita

no dat nauā instr[ucti]o[n]e i. nta glo
i. auctent[ica] et qui b[us] q[ue] de q[ui]b[us] in di[ctum] li[bellum]
poss[unt] requiri. Et de ea status
ut dixi s[upra] quarto [illegible] ob[iecti]o
no q[uod] lex ipsa dat instr[uctione]m [illegible]
quo est de p[ri]ncip[a]l[i] cogn[itio]ne no p[ote]st:
Pr[imo] ne actor petitoria requiri
possessoria dat q[uod] p[ote]st [illegible] ut
i. e. [illegible] de ea [illegible] Pr[imo] ne [illegible] re
quieto i. ea app[ellati]one [illegible] q[uod] p[ote]st [illegible]
q[uod] [illegible] tenuit q[uod] ea app[ellatio]n[i]s esset
eade[m] cu[m] p[ri]n[cipa]li / [illegible] tenuit q[uod] esset
diversa [illegible] q[uod] [illegible] q[uod] i. [illegible]
[illegible] alia s[ed] ea eade[m] q[uod] [illegible] in
[illegible] [illegible] [illegible] [illegible]
[illegible] plenius explicabi[tur]
[illegible] p[ri]m[o] q[uod] [illegible] q[uod] s[i] app[ellati]o [illegible]
no p[ote]st s[ed] requieto eade[m] [illegible]
[illegible] requieto [illegible] [illegible]
[illegible] / [illegible] p[ri]us [illegible]
cu[m] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] app[ellati]o[n]e et [illegible] [illegible]
app[ellati]o[n]is [illegible] s[i] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] app[ellatio]n[e]m fiet [illegible] a
quo [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] q[uod] no
fiet requieto [illegible] [illegible] no
[illegible] fieri [illegible] [illegible]
[illegible] [illegible] summaria [illegible]
fieri [illegible] [illegible] q[uod] no [illegible]
[illegible] [illegible] [illegible]
no poss[unt] [illegible] [illegible]
[illegible] [illegible] no [illegible]
[illegible] [illegible] [illegible] no [illegible]
[illegible] [illegible] [illegible] [illegible]

intellectu[m] ut ibi no[tatur]. [illegible] q[uod] s[i]
ca[usa] s[it] summaria [illegible] [illegible] est
[illegible] [illegible] [illegible] et [illegible] (marg.: ... no p[ote]st s[ed] requiri)
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
ut [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et ordinario cognoscere
s[ed] form[a]m [illegible] [illegible] requieto
[illegible] [illegible] plena cognitio [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] no [illegible] plena [illegible]
[illegible] [illegible] [illegible] mandari
[illegible] p[ote]st requiri actore
i. ea [illegible] [illegible] [illegible]
[illegible] [illegible] q[uod] no [illegible] no nulli
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] no [illegible]
[illegible] [illegible] [illegible] [illegible]
no credo [illegible] / cu[m] i. requieto [illegible]
[illegible] [illegible] ut [illegible] [illegible]
no [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] requieto
i. no i. [illegible] glo. [illegible]
[illegible] [illegible] ibi [illegible] (marg.: glo)
[illegible] [illegible] [illegible] [illegible]
et [illegible] q[uod] [illegible] debeat [illegible]
[illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] debuit [illegible] no posse [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] no [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

appellandi vel petiti absolui ab instan
tia vel prima dilatoria exceptione non sic hoc
modo quod cederet peteret a facultate
quem opponebat quod quasi proprie. puta
qui non requireret ante lite habebat
opponere et etiam qui contradicat quod a pe
titione et quaerens quod ad quos
differat. uidetis quam magister quae
rens sunt et hoc opus est aliquid per li
tis contestationem et ante contestationem et post quod sunt
a f e t r f e quaerenti et per hoc facit quod
requirens et reus responsum quod debet
quaerere quaestionem quod responsio sit post
terminum ut ob. q. reg. quod explicat
quaestionem et requirentem quod litem contestata pro
reus actoris requirere et erunt
mutue petitiones si iudex sit ab or
dinario et super non coram delegato in litteras
de nouo impetrauerit quod uidetur delegato
super hoc noua quaestione non sunt aliqua
pertractare ut dicit requirens super quaestione quod
prima non impetrauit cum prima quaestione ut
bona prima remanet. Iuxta glo. arg.
quod depositum depositarius non compensat ne
fidem frangat. alia una loquitur et dicit
sequestraret vel interruptus quod quaeritur super
quaerens. Item prudentia oportet quod
non quaereret. Item petens cum clam et petens ius in quo
et in ea parte appellare ff quod ipsa quod uidetur
ff. i. sic respondetur quia quamquam contra
et bonum quod ipsum q. i. sic in bonum et
nube et non nube non quaerere habenti
non nube. Colenti sic duo quia sunt
in alia per dignitates et distantia de quo
ut dicitur de quibus exceptione. Item sicut
qui requirens non quod prorogatio sit per
solitariam et petitionem actoris et quaestionem
super reus et sic tamen ff. non prorogatur

Et in fine male dicitur de appellationibus ut de
bitus. et rubrica de lite contestata

quod petitionem et responsionem videtur secunda sit
lite contestata ideo submittitur rubrica de lite
contestata post. et cetera. alium

Item sic dicitur sicut compositis prioribus
ipse sunt et venit et finali exceptione
et dictis casibus et de. plene de hac re
et ibi notatur. Quaere quod sit lite contestata
glo. describit et dicit quod dicitur quod primi
negotii apud iudicem sumit [illegible]
mittatur. Item dicitur quod hoc describitur
ut per hunc textum quod primo et narra
non tamen sit per eam lite contestata dicitur
quod quidem fundamentum iudicii petitionem
et iure apposita et responsio secunda
aliquid lite contestata quae obmissa
exceptione laboris litigantes
bene et vera quod quod est procedit
sane et collecta quod non sunt
mixte actionis quod per solam narratione
fiat lite contestata et in non nemo est quod
ut dixi supra et ti ii c. i. Item si
actor petit et reus primo solum
narratio unquam erit lis contestata si
non audiat petitio quamquam
quod non quod per quaeque verba sit et no
gatio per eadem dicitur fieri responso ff.
de i. terrogat. ac. l. si defensor
q. i. Iustitiae de e veritate stipulatio
l. petitio. Item dicitur quod quamvis actor
concludat sic negans concludat
Tunc hoc opus quod sit lis contestata non
quod adnegationem cum respondet ipso
de appellationibus cum cessante. Illud quod ne
gatio non quod per. l. una et cetera
ff. l. ii q. i. l. de iure. calumpnia

Opponitur quod reus neget an[te]
porrectionem libelli erit ne lis
contestata. Dicas quod sic quia non attenditur
ordo scripture. Vide de eo tamen quod no[tatur]
in l. una C. e. ti. quia in litis contestatione
requiritur forma verborum per l. tacito [?]
procedi in stipulatione ff. de verborum obli[gationibus]
l. i. C. e. de actionibus [illegible] solempnis
ff. de actionibus et obli. l. gfitentibus [?]
ar. ordinis per versio totum videtur
si qualiter totum [illegible] ar. Sed in mo
dicebat quod litis contestatio est forma
verborum [illegible]. licet aliqui dicant
quod est solum [illegible] ex
[illegible] quod est plenum — Item si
actor petit reus [illegible] dila
torias demum actor [illegible]
[illegible] contra [illegible] in libello [illegible] [illegible]
[illegible] Erit ne lis contestata. In et
[illegible] tenet quod sic. Vide q. ubi
[illegible] quia requiritur animus in litis contestatione
q. [illegible] est in hoc casu quia [illegible]
non habet animum petendi [illegible]
non habet animum contestandi. Salvo quia si
diceret pono [illegible] in libello [illegible]
[illegible] quia tunc [illegible] libellum [illegible]
[illegible] quia [illegible] non habet animum
petendi sic. [illegible] habere animum
contestandi. [illegible] Et in mo si [illegible] lis contestata
fieret [illegible] tertio [illegible]
[illegible] ff. de condi. et de [illegible]
l. cum [illegible] — Item si actor
petit [illegible] gfitet[ur] est ne lis contestata
[illegible] glo. de [illegible] dudum ii. [illegible]
[illegible] fiat [illegible] libellum porrectum [illegible]
tunc non est contestata [illegible]
[illegible] petere q. [illegible] l. [illegible] non

nova [illegible] de iudi. quia contestatio
fit per [illegible] ut ibi. Si hac [illegible]
[illegible] tunc ferre [illegible] — Sed illa
in [illegible] sine contradictione [illegible] [illegible]
fuit contradicta. Confirmatur quia litis contestatio
[illegible] contradictione. [illegible] [illegible] quod non est
in gfitente [illegible] l. si debitor ff. de
iudiciis et l. si reus ff. de [illegible]
Vide de eo tamen [illegible]. [illegible] si reus
dicat nolo litigare sed volo solvere
tunc lis non est contestata quia non habet animum
litis contestandi ff. de iudi. l. ii. ff. de
[illegible] iudi. l. si per errorem. [illegible]
si oblato libello dicat gfiteor [illegible]
addat nolo litigare [illegible] tunc [illegible]
[illegible] C. de gfes. l. una ff.
ad l. aqlia. l. [illegible] ff. de gfes.
l. ulti. Vide de eo tamen [illegible]
l. non postea de [illegible] ubi actor
petit si [illegible] et [illegible]
lis est contestata — Confirmatur quia
si [illegible] de [illegible] restitu[illegible]
quod [illegible] vult [illegible]
non [illegible] si dicat ego non
[illegible] litigare [illegible] tunc non est lis contestata
Sed si [illegible] dicat sed solum gfitetur
tunc [illegible] et [illegible] quia si dicat
nolo [illegible] hoc est q. litis contestatio. Sed
si gfitetur non declarat animum ad [illegible]
[illegible] in mo. vult stare in iudicio usque
ad [illegible] — Si [illegible] textus
[illegible] fiat [illegible]
alia [illegible] non [illegible] quod fiat [illegible]
[illegible] quia [illegible] hoc non [illegible]
[illegible] gfisso in mo iste textus [illegible]
[illegible] non [illegible] quia [illegible]
[illegible] et [illegible] hic lis [illegible] —

ad l. si debitor [illegible] quod officium
delegati sunt fomentum de lite contestata
de quo nobis [illegible] significanter de ap[pellatione]
[illegible] non procedit in modo in liminibus fuit
facta tamen Cynus [illegible]
non fiat litis contestatio tamen in ducatur illi
effectus quo inducitur litis contestatio ut C.
de prescriptione xxx vel xl annorum l. cum
notissimi § si quis — Casus si actor
petit reus fatetur et emittit ex-
ceptionem ut quod solvit vel quod fuit pactum
de non petendo Cynus dicit quia aut
[illegible] et tunc non est contestata
sed si prius [illegible] negotium tunc petitis [illegible]
idem quod in [illegible] l. una [illegible]
[illegible] ij [illegible] — Casus si
reus de [illegible] dubitare [illegible]
quod sit quia si non exprimatur credulitas
tamen quod narrat [illegible] plicat [illegible]
dubitare in modo [illegible] modum [illegible]
actor petit reus non negat sed [illegible]
dicit tu mentiris [illegible] nunquam
in lite contestata dicit [illegible] quod sit facta contestatio
quia [illegible] fuit [illegible] verbis [illegible]
[illegible] negatio || actor
petit reus negat se iure deberi
dicit [illegible] negatio
[illegible] actus — Casus si negat
[illegible] non fuit non lite contestata
[illegible] dicens quod sit contestatio facta
quia actus [illegible] tollit [illegible] de
[illegible] quod litis contestatio
fit [illegible] quam declarat quod
[illegible] ff. de [illegible]
[illegible] facere et verba negationa

[illegible] ad [illegible] ut [illegible] ad
[illegible] iudicem — Casus si [illegible]
[illegible] actor [illegible]
dicens quod lis non sit contestata [illegible]
contestatio [illegible]
[illegible] non tollit [illegible]
[illegible] — Casus si iudex [illegible]
[illegible] dicens quod sit quia iudex [illegible]
[illegible] ut [illegible]
[illegible] et [illegible] iudicis non tollit
[illegible] Casus fuit [illegible] iudex [illegible]
aliud quod [illegible] litis contestatio
non est [illegible] quod dicere posset ut
[illegible] quod [illegible] iudex [illegible]
[illegible] iudex [illegible] alias [illegible]
lite [illegible] contestata [illegible]
[illegible] ff. de [illegible] l. cum
non est [illegible] quia litis contestatio requirit [illegible]
[illegible] verborum et [illegible]
requiritur non [illegible] alius actus ff.
de [illegible] l. i [illegible]
[illegible] ad missionem [illegible]
[illegible] quia [illegible] non [illegible]
et [illegible] et [illegible] ff. de
[illegible] l. [illegible]
[illegible] non [illegible]
fatere quod [illegible] ff. de [illegible]
[illegible] l. non [illegible] — Casus si
in actis [illegible] lite fore contestata
[illegible] non apparet de [illegible]
quod habebitur [illegible] acta
[illegible] de [illegible]
[illegible] de [illegible]
[illegible] non [illegible] ut quod
[illegible]
[illegible] contestata
[illegible]
[illegible]

exprimitur quod debet probari ¶ Hoc petebatur tertium in libro aut negans ... pro ... secundum ... Et quod non ... non ... legitime ... in negare de tertium non ... prima ... confirmatur ... ff. eum ... et ut ... de ... cum ... apud testem ... ff. de ... exceptione ... non ... ff. de neg. gest. ... negando ... tenetur ad ... negare ... ff. de ... interroga. ac. l. de ... c. ii. et ... quod ... interrogat ... lite non contestata

Super ... de lite contestata ... lite non contestata ... non ... in ... offeratur

... non contestata ... ibi ... non exceptio ... et ... testium receptio ... et ... expositum ... de quo ... c. ii. de ... c. ii. Judicantes ... ad ... ff. ... de ... c. ii. ... exceptio ... petit ... ut ... c. ii ...

... receptio testium lite non contestata ... non ... secundum ... et ... quod non ... ad ... et ... quod non ... contestata ... non posset ... et ... non ... lite non contestata ... ante ... lite non contestata ... dicitur ... qui non posset ... contestata ... ... non potest ... contestatam ... non posset ... lite non contestata ... quod erat ... in ... et non ... quod ... accusat ... de adulterio ... prima glosa ... lite non contestata testes non ... appellatio ... non ... defendi de app. cum appellatur ... et ... ¶ Hoc ... de adulterio ... de ... c. de adulterio ... ad penam corporalem ... ad separationem thori ... ut hic ... et ad lucrum dotis ... glosa ... quod non ... ¶ Hic glosa ... expedire ... vel absente ... lite contestata ... ff. de ... ubi ... lite contestata ... non exprimitur ...

absens.

procedet ad diffinitiva de dolo q ut
§ Si actor e absens an lite(m) cont(estatam)
fuabitur auctoritate q pet c quo 2 qn
iudex q citabitur tribus edictis cu(m)
i intervallo xxx dierum § Si non venerit
dabitur aliud peremptoriu(m) anni § Et si non
venerit et constet de iure rei fer(etur) s(ententi)a
pro reo / q si non constiterit absolvetur reus
§ Si venerit et statim recesserit sine quopiam
datur ei peremptoriu(m) anni et postq(uam) recitatus
citatus si non venerit cadit ab actione
§ Cuius ratio q non expectabitur p(er) aliu(m)
annu(m) c procedet q cu(m) q non habet l(icenti)am
i reo absente ante lite(m) cont(estatam) q illo
casu nunq(uam) fiet diffinitiva ut no(tatur) s(upra) de dolo et
cont(umacia) p(er) uc § Si citandus e p(er) eadem i
intervalla dierum § Si vero actor vol.
reus se absentaverit post lite(m) cont(estatam) ci
tabitur p(er) eadem tpora intervalla et
expectabitur p(er) annu(m) ut dem C. de an(nali) except(ione)
l. ex eo cu(m) iudex duxit remedia. Sed
s(ecundu)m relinquitur arbitrio iudicis. Scias i
telligas ut d(icitu)r auctenticum q dabitur
ad peremptoriu(m) q det(ur) bienniu(m) qr. ad
ad peremptoriu(m) q datur bienniu(m) qr. ad
no(n) fecit pone ut ibi notatur | Et si
bn pedreas i iure requiritur citatio
p(er) edictu(m) q(uia) edicta ponebant i albo
pretoris p citatione publicu(m). Requiritur
alba i. tabula de albata i qua pone
bantur citatione requiritur. Est alba
i qua ponebant edicta generalia pretoris
ff. de iur(e) om(nium) iud(icum) l. si edicto. Requiritur
est alba i qua ponebant nom(in)a decurio
nu(m) ff. de albo scribendo p(er) totu(m). Aliq(uando)
fit citatio p(er) nuntiu(m) vel p(er) litteras
aliq(uando) fit p(er) iudice(m) viva voce aliq(uando) fit
realiter ut ca(usa) t(er)minetur. p(er)litteras citatio
et si aliquos de auctoritate carint
f. certas de edendo c.

no(n) p(er) rei c(on)tra li(tem) c(on)stare videtur
an lite(m) cont(estatam) § Quid si ante finito i
lite(m) agere compellitur C. ut nemo i
iudicium i rubro et i nigro. Sed
absente non compellitur. Sed post q(uam) acceperit
prius est. l. proinde. C. de acc(usationibus) et absol(utione)
§ Quid si ante de. l. post q(uam) C. de
p(ro)curat(oribus). Sed puto q(uod) i totu(m) remittatur
licet ut ibi et hic non e de presente
de quo hic § Item dicitur i auct(entico)
q(uod) deb(et) citari q(uod) q(ui) deb(et) an lite(m)
cont(estatam) non h(abe)t fundatam iurisdictionem de
app(ellationibus) Si q(ui)s § Et in aut. de exam(inandis) et i
traditur. C. si vero. Sed non h(abe)t fundatam
quo ad decisionem principalis negotii
sed bn quo ad peremptoria ut ibi p(er)
m. Item d(icitu)r auctenticum q actor exp(ec)
tetur p(er) anni i m(od)o ex. q(uod) solu(m)
p(er) x dies ut auctenticum q fieri C.
de sola. § Contraria solutio glose
i dicto auctentico q e contra textu(m) d(ict)i
q(uod) auctenticu(m) q(ui) pet. loquitur cu(m)
deb(et) procedi ad diffinitiva(m). Auctenticu(m)
q fit loc(um) cu(m) facienda e absolutio ab
observatione iudicii. Contrarium est auctenticu(m)
l. properandu(m) C. de iudi(ciis) p(er) q(uod) est ante
cont(estationem) non procedebat(ur) q actore ad
diffinitiva(m) nisi i ca(usa) liberali C. de
libe(rali) ca(usa) l. in Iure cadit po
terat solu(m) post lite(m) cont(estatam) C. de iudi(ciis)
l. properandu(m) q(uod) s(upra) de. Iure aut(em) cano(nic)o
puto est an lite(m) cont(estatam) ut s(upra) de do(lo) et con
t(umacia) C. quoniam frequenter i t(itu)lo et aucte(nticu)m q
pet p(er) aliu(m). Contrarium est quod tu
ad actore(m) intervalla q(uod) dat t(antu)m
xxx dierum. Sed non mirum q(uia) nunc ad
reu(m) q(ui) p(er) tempus dicitur q pet. Et l.
properandu(m) dierum totum ... termini
datur ... termini ...

i. l. appellandi. Quod licet actor q. anni
per tarde q(uod) non potuit eo decidi
q(uod) fieret [illegible] non apparente actore q
dicit tamen non [illegible] d(icitu)r auctenticum q
ultra annum et q(uod) [illegible] non possit
durare in instancia [illegible] d(icitu)r q(uod) debet
expectari q. annum [illegible] licet . l. a
[illegible] audictur [illegible] et
fer. [illegible] Nota textum q(uod) iudices
q. [illegible] licentiare [illegible]
q(uod) [illegible] quidam dicunt q(uod) non
diffiniunt [illegible] q. [illegible]
non erat [illegible] Tu dic q.
et e speciale q. actore [illegible]
ut q. [illegible] et [illegible] tamen [illegible]
i(n) [illegible] in reo absente. an
lite [illegible] ut possit diffiniri [illegible]
[illegible] dicunt q(uod) sit C. ubi de con-
[illegible] auc(tentica) q. i(n) [illegible]
Tu dic q. [illegible] auctenticum q. [illegible]
[illegible] speciale q. actore qui non
debet [illegible] ut. [illegible] de re
[illegible] i. vj. [illegible]
[illegible] ut. [illegible] actor [illegible]
[illegible] non licet [illegible]
ab actione [illegible] premium [illegible]
[illegible] de [illegible]
[illegible]
quibus [illegible] facultas [illegible]
dic q(uod) [illegible] ordinario [illegible] facultas
[illegible] [illegible] privilegii
[illegible] ff. de iudi. l. [illegible] privi-
legii. [illegible] non de domo [illegible]
ff. de [illegible]
[illegible] delegatos ff. de [illegible] l.
[illegible] principis [illegible] de
[illegible] de iudi. [illegible] quos ad
[illegible] [illegible]
[illegible] ordinariis et delegatis si fuit edictum
si q(uod) [illegible] non [illegible]

[illegible] adire [illegible] in modo [illegible] adiri iudex
[illegible] q. [illegible] ut l. [illegible] de [illegible]
[illegible] d(icitu)r textum q(uod) actor habet i(n)
intervalla xxx. dierum [illegible] an lite
[illegible] quidam q(uod) [illegible] debet ee i(n)
[illegible] de iudi. [illegible] et dicunt correcta ad
[illegible] ff. de iudi. [illegible] opus [illegible]
[illegible] q(uod) si actor dicat nolo [illegible]
me amplius citari [illegible] et [illegible] forte
q(uod) [illegible] citaciones non [illegible] ad q
[illegible] ad maliciam [illegible]
[illegible] de iudi. auctenticum [illegible] Contra
quod [illegible] auctenticum [illegible] ad l. appe-
llandum. [illegible] alia q(uod) auctenticum i(n) [illegible] cor-
rigit illam [illegible] actore absente an
lite [illegible] non ferebatur sentencia [illegible] fer.
[illegible] auctenticum [illegible] non [illegible]
[illegible] actore [illegible] non [illegible]
debat actore absente [illegible]
[illegible] ff. de iudi. [illegible]
[illegible] actore absente [illegible] ut [illegible] l. appe-
llandum [illegible] de iudi. [illegible]
[illegible] auctenticum ubi [illegible] actore absente
[illegible] lite [illegible]
[illegible] et [illegible]
actore absente non cognoscebatur [illegible]
[illegible] auctenticum [illegible] lex
[illegible] et [illegible] auctenticum alia
et [illegible] Nota q. [illegible]
[illegible] auctenticum ad [illegible]
[illegible]
ff. de [illegible] q(uod) [illegible]
[illegible] alia [illegible] correcta [illegible] auctenticum
Tu dic q. [illegible] auctenticum [illegible]
non dicitur [illegible] deciarare
ff. [illegible] [illegible]
q(uod) malicia [illegible] non [illegible] dno [illegible]

tamen in quod dato quod procurator fuit contumax
manifestus [illegible] dominus potest appellare quia
dolus procuratoris non debet hac ratione nocere
domino quia pena debet [illegible] suos auctores
de suis [illegible] fuit [illegible]
[illegible] ob [illegible] lege i. § [illegible] adversus
ff. quando appellandum sit ii. q. vi. videtur
quod [illegible] audietur [illegible] x. dicto
¶ Subdebat in quod si procurator est
contumax [illegible] dominus potest appellare
et [illegible] x. dicto a quo [illegible] non
[illegible] licet [illegible] non
[illegible] contumacia procuratoris manifesta
ut [illegible] x. dicto a quo [illegible]
[illegible] et [illegible] ut [illegible] a
quo [illegible] hoc videtur mirabile quod procurator
non appellando [illegible] x. dicto preiudicat domino
Et si sit contumax non preiudicet. ¶
Dicas tamen attendendum quod aliquando in contumacia
alicuius proceditur per solitum ordinem
iuris et talis contumacia preiudicat
domino. aliquando in contumacia procuratoris proceditur
non per solitum ordinem et tunc non nocet
domino [illegible] quod si procurator non est contumax
et non appellat preiudicat domino quia
[illegible] vel [illegible] dominum non
appellat. Idem si fuit missio vel
[illegible] alius ordo [illegible] ubi [illegible] contu-
[illegible] in [illegible] penam pro quod non audietur
appellans [illegible] si non solvat non [illegible]
[illegible] quod [illegible] ille non [illegible] pro de-
licto vel dolo [illegible]
si [illegible] procuratore [illegible]
[illegible] appellare non preiudicaverit domino
[illegible]
contumacia procuratoris [illegible] quantum ad
[illegible] et [illegible] et solutum [illegible]
[illegible] corporales domino [illegible]

[illegible] quod [illegible] ille non [illegible] pro delicto
vel dolo [illegible] et hoc [illegible]
[illegible] quando appellandum sit
et fuit magnum [illegible] et [illegible]
[illegible] tamen [illegible] quod magis
contumacia procuratoris preiudicat domino [illegible]
[illegible] et [illegible]
[illegible] ubi [illegible] aliquid
[illegible] si [illegible] procuratore non
debet preiudicare domino et adhuc [illegible]
quod domino [illegible] et [illegible] procuratore
qui fuit contumax [illegible] item
procuratore [illegible] si [illegible]
[illegible] de preiudicio quantum ad [illegible]
[illegible] et fuit in
quod si [illegible] procuratore [illegible]
[illegible] contumacia [illegible] et [illegible]
[illegible] fiet [illegible]
[illegible] tamen [illegible] restitutio
[illegible] dicebat quod non debet resti-
tui [illegible] expensas [illegible]
[illegible] Subdebat
tamen [illegible] an procurator [illegible]
quod [illegible] si non [illegible]
[illegible] et expensas [illegible]
restituetur et an [illegible] fiat an
[illegible] an [illegible] quod si fiat [illegible] non
[illegible] restitutionem quod [illegible]
de hac [illegible] hac [illegible]
expensas an [illegible] et [illegible] quod
non [illegible] ¶ [illegible]
[illegible] arbitrio
iudicis an debeat dari restitutio vel
non. ¶ Subdebat [illegible] quod si procurator
[illegible] expensas [illegible]
[illegible] recuperabit a [illegible]
[illegible] actione [illegible] mandati ¶
Dicebat [illegible] quod [illegible] contumacia procuratoris

† [illegible] q. si procurator constitutus et in expensis fuit executus contra dominum

p. iudicet domino in q. est procurator cum [illegible] gregatibus non tamen in aliis set q. sufficiendat vel [illegible] hec in prime [illegible] expressa culpa ii q. i non [illegible] q. in meo [illegible] et [illegible] procuratoribus et hoc in fine q. si procurator [illegible] contra [illegible] et expensis executio filii contra dominum est in bonis eorum [illegible] si producat [illegible] instrumenta [illegible] [illegible] tenebatur dominus [illegible] querere et mandata [illegible] si non [illegible] instrumenta producere [illegible] fraude [illegible] — [illegible] non [illegible] requiritur cautio q. procurator caveat [illegible] si loquitur de [illegible] securitatem [illegible] si loquitur de cautio de defendendo [illegible] glo. ff. de procuratoribus l. [illegible] et hec [illegible] — [illegible] [illegible] continuatio [illegible] et non [illegible] possit [illegible] q. [illegible] in [illegible] [illegible] de [illegible] q. [illegible] de [illegible] [illegible] et [illegible] q. [illegible] [illegible] tamen [illegible] non [illegible] ad [illegible] non debuit [illegible] in [illegible] [illegible] [illegible] de [illegible] q. [illegible] [illegible] — In glo. [illegible] de [illegible] q. ad penam corporalem non [illegible] [illegible]

[illegible] de procuratoribus [illegible] in [illegible] fisci dixit [illegible] q. est [illegible] in causa fisci [illegible] [illegible] fisci de [illegible] [illegible] non [illegible] dixit [illegible] q. [illegible] non [illegible] q. non [illegible] cautionem [illegible] — In glo. [illegible] ibi [illegible] [illegible] de iudic. [illegible] [illegible] [illegible] q. ibi non [illegible] de [illegible] [illegible] [illegible] q. si [illegible] deberet [illegible] [illegible] q. [illegible] non posset [illegible] de procuratoribus [illegible] de [illegible] — In glo. si [illegible] [illegible] [illegible] q. procurator [illegible] [illegible] domino [illegible] [illegible] procurator [illegible] de [illegible] [illegible] ff. de [illegible] [illegible] [illegible] de [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] de [illegible] [illegible] [illegible] [illegible] et [illegible] de [illegible] [illegible] procurator [illegible] dixit [illegible] [illegible] ff. de [illegible] [illegible] [illegible] domino [illegible] [illegible] [illegible] [illegible] [illegible]

e i secundo et tunc [illegible] q puni[illegible]
p[illegible] qu[illegible] [illegible] lex [illegible]
[illegible] pena [illegible]
[illegible] pena [illegible] puni
bile delictum p [illegible]
[illegible] pena [illegible]
et [illegible] punitur. C [illegible]
meminerit et [illegible]
[illegible] et tunc si penam [illegible]
[illegible] dominus [illegible] ad
penam [illegible] non poss[illegible] regressu [illegible]
[illegible] dominus [illegible]

[illegible]

cum non leg[illegible] C. de [illegible]
textu [illegible]
[illegible]
[illegible] ii. q. vi. c. diffinitiuam
C. de [illegible]

[illegible]

[illegible] admissa [illegible]
[illegible] admonitus. non [illegible]

[illegible]

[illegible]

[illegible]

Contra dicta q. in i. spec. ti. de oppos. iã
bal. = Item q. sunt et magnus no
possit fieri missio dicit alia q. cu agitur
i. edicto recitande. q. tunc no pt fieri
missio vel si possidens agat possessio
rui [illegible]. si agat de rebus beneficiali [illegible]
de eo q. met. c. p. c. vno libi [illegible]
agendum decretu. ut apti certa. tunc bn fit
missio ut ibi not. Ang. iij i. fi. de
bonis eade m. ptie de p. decreto q. uel de
effectu verbi. et no. Jo. de s. cuius fuit
glo. q. si cxtus fuit p. annu i. cxe
q. no audiat q. ea. bau. dt. q. audiet
cf. p. anni [illegible] apparet et [illegible]

Item pat appli. aperta in pn. ubi madamus
exequatur [illegible] q. [illegible] comes exactit
[illegible] pl. q. [illegible] et cess. [illegible] glo.
[illegible] dat. q. petebat s. puideri de alis
iudicis et loco [illegible] not. [illegible] erat [illegible]
vel [illegible] Jo. exeqt. vel [illegible] et q. [illegible]
mariaula [illegible] requiritur an [illegible]
tam et [illegible] respondit et. bn q. [illegible]
de recept q. no [illegible] plenarie [illegible]
in q. a. [illegible] dimisit a. dimisisse
[illegible] decerni [illegible] ca. e. [illegible] cu [illegible]
[illegible] partium q. [illegible] [illegible]
ee [illegible] s. [illegible] not. = Item iudices
recusari [illegible] [illegible] [illegible] appi
legitimam a grauaria [illegible] Item
recusari i. ca. [illegible] de of. del. cu r.
Qui. de familiari ordinarii an possit
recusari [illegible] et [illegible] q. sit de actu re
[illegible] = [illegible] de familiari ad
[illegible] [illegible] [illegible] [illegible] [illegible] c.
a. de of. iudicis q. ibi no [illegible] iudex
q. familiaris sit [illegible] q. no e
[illegible] q. familiaris [illegible] [illegible]
[illegible] [illegible] cu [illegible] [illegible] [illegible]

Item [illegible] appli. an e. [illegible] [illegible] [illegible]
an [illegible] tuti [illegible] de [illegible] notariu
no [illegible] no e necessa except. [illegible] q.
i. notariis no [illegible] [illegible] iuris [illegible]
manifesta de iure [illegible] admiram. [illegible]
not. in de dela. [illegible] [illegible]
[illegible] aut no e notariu tunc s. [illegible] de
adire iudice et petere assignari tutu
et appli. si denegetur de app [illegible] et [illegible]
i. [illegible] q. [illegible] i. c. [illegible] [illegible] de ap
libi [illegible] cu [illegible] [illegible] i. c. a. [illegible]
re iudi. Jo. an. i. c. [illegible] dt. opione
[illegible] i. not. [illegible] = Item
[illegible] q. sn q. iudex no dz credere [illegible]
Jo. mo. [illegible] [illegible] dt. q. cancellaria
dat [illegible] appli. [illegible] petitione [illegible] tuti
[illegible]. dt. q. cancellaria [illegible] [illegible]
Credo opione [illegible] [illegible] [illegible]
a. de dela. ibi [illegible] q. [illegible] [illegible]
[illegible] [illegible] sit [illegible] [illegible] [illegible]
iudice adire sic fuit. c. [illegible] [illegible]
q. [illegible] q. [illegible] q. e. [illegible] [illegible]
et [illegible] [illegible] [illegible] recusationis
iudicu. Item [illegible] [illegible] [illegible] [illegible]
[illegible] inter principe et [illegible] sit [illegible]
[illegible] sit [illegible] an principes plus [illegible]
[illegible] [illegible] q. [illegible] [illegible] an.
principes plus [illegible] [illegible] [illegible]
q. [illegible] an minor sit principis
[illegible] ad [illegible] q. [illegible] ad filios
de [illegible] [illegible] ad tractatu q. [illegible] de
[illegible] ad glo. [illegible] et [illegible] [illegible]
q. tunc [illegible] scolas [illegible] principes
comes [illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] i. [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] c. [illegible] in [illegible] [illegible] [illegible] [illegible]

[illegible] no possit [illegible] ... debet cognoscere [illegible] ut debitus ... et si [illegible] cognoscere ... debuerunt cognoscere ... finiri ff. de iudi. [illegible] ... quia [illegible] ... non [illegible]

[illegible] ... appellatio [illegible] ... pendendi [illegible] ... ibi [illegible] alias ... subdit [illegible] ... ibi ... ibi porro ... ibi vero ... ibi porro ... de matrimonio carnali vel spirituali ... ibi [illegible] ... cum agitur [illegible] ... tractat [illegible] ... possidens [illegible] ... de [illegible] ... [illegible]

[illegible]

[illegible] possit no[n] om[n]i appellatur ff de testi l i[n]i[illegible]
Alii dicu[n]t ar[bi]trio iudicis. Tu[m]
q[uia] varietate co[m]plexionu[m] aliq[ui] tardiu[s]
velociu[s] senescu[n]t q[uam] verior. Galien[us] i.
i[n] firmi c[ap]. dicit a galeo galies [illegible]
no[n] valent q[ui] in [illegible] [illegible] [illegible] r[ati]o[n]e
[illegible] q[ui] debent ingredi bellu[m] [illegible] [illegible]
[illegible] [illegible] iudex facit interrogatio[n]e[m]
q[uia] [illegible] r[illegible] l[illegible] xxx [illegible] vel
iudicare ut [illegible] q[ui] [illegible] e[st] absens =
[illegible] exigat [illegible] q[uia] iudex [illegible] c[illegible]
in veritas occultatur. Item no[n] [illegible]
[illegible] C[ontra] queri[tur] [illegible] i[n] alio q[uod] i[n]
duob[us] cauta[illegible] a quatuor [illegible] [illegible]
posse recipi testes. licet no[n] [illegible] gl[os]a [illegible]
[illegible] In. dicebat ibi si reus e[st] [illegible]
et debitu[m] co[n]ditionali ff. ad l. aquilia l. i[n]
lege. Item p[ro]mo[illegible] [illegible] [illegible] i[n] [illegible] lite[m]
co[n]testari. vel dig[n]itas habet.
Op[onitu]r de c[illegible] [illegible] [illegible] [illegible]. Q[uod] ut ibi
[illegible] allegat. no[n] de [illegible] c[illegible] [illegible] i. [illegible]
addebat e[st] [illegible] q[uia] si pars [illegible]
[illegible] i[n] [illegible] [illegible] ut [illegible]
[illegible] [illegible] de ap[illegible] [illegible] testes licet no[n]
no[n] [illegible] Volo q[uod] [illegible] an [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] e[st] q[uod]
testes recipiu[n]tur [illegible] [illegible] mors vel
absentia. C[ontra] est [illegible] i[n] casu legis i[n]
lege aq[ui]lia. [illegible] possu[n]t [illegible] q[uod] [illegible]
[illegible] [illegible] ibi dicit[ur] q[uod] si debitu[m] [illegible] q[uod] [illegible]
[illegible] et debitu[m] est [illegible] [illegible] q[uod] vole
bat actor [illegible] debitu[m] [illegible] habet [illegible]
testes [illegible] istos p[ro]bat [illegible] ferre [illegible] [illegible]
[illegible] no[n] mandabitur executioni [illegible] adve[n]te
co[n]ditione. Alia l[itte]ra e[st] q[uod] agebatur
ibi ad pena[m] legis aquilie [illegible] [illegible]
nihil facit ad p[ro]positu[m] [illegible] [illegible] ista
l[itte]ra q[uia] no[n] fuit dampnu[m] nisi adve[n]te
co[n]ditione. [illegible] q[uod] dampnu[m] [illegible] [illegible]
[illegible] [illegible] aquilia Impug[na]t[ur] [illegible]
q[uia] [illegible] [illegible] dampnu[m] q[uia] [illegible] facere testes
[illegible] [illegible] gl[os]a [illegible] ibi q[uod] dampnu[m]
dans no[n] [illegible] [illegible] [illegible] [illegible] q[uia] [illegible]
[illegible] [illegible] [illegible] Alia l[itte]ra q[uod]
[illegible] agat[ur] [illegible] [illegible] [illegible] [illegible]

stat[illegible] fieri [illegible] [illegible] [illegible] [illegible] q[uod] [illegible]
differri [illegible] [illegible] [illegible] [illegible]
Alia l[itte]ra q[uod] i[n] [illegible] [illegible] iudicis
q[uod] publicare testes [illegible] [illegible] aliq[ui] fecit
ad p[ro]positu[m] In [illegible] si [illegible] [illegible]
[illegible] q[uia] [illegible] [illegible] [illegible]
rei memoria [illegible] [illegible] i[n] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] de testi-
[illegible] [illegible] differt [illegible] ut ibi
dicit. [illegible] [illegible] l[itte]ra [illegible] [illegible]
legit q[uod] si debitu[m] e[st] [illegible] q[uod] [illegible]
[illegible] agit aquilia. [illegible] [illegible]
[illegible] q[uia] si [illegible] [illegible] [illegible] testes
[illegible] quos [illegible] [illegible] debitu[m] nullus [illegible]
dampnu[m] [illegible] [illegible] i[n] [illegible] [illegible] no[n]
[illegible] [illegible] [illegible] aut no[n] [illegible] agit
q[uia] [illegible] [illegible] [illegible] testes et [illegible]
[illegible] [illegible] q[uod] [illegible] [illegible] no[n]
possu[n]t agere cu[m] [illegible] illa facultas
[illegible] [illegible] [illegible] [illegible] [illegible]
testes de quib[us] [illegible] [illegible] q[uod] no[n] [illegible]
[illegible] [illegible] q[uod] iudex [illegible] [illegible]
[illegible] [illegible] [illegible] debeat [illegible] [illegible] agere
[illegible] q[uod] [illegible] facere [illegible] et [illegible] [illegible]
delictu[m] [illegible] vel [illegible] [illegible]
q[uod] [illegible] [illegible] Alia l[itte]ra q[uod]
[illegible] co[n]ditione agat aquilia [illegible]
alias [illegible] [illegible] [illegible] [illegible] [illegible]
agendo q[uia] [illegible] dampnu[m] [illegible] [illegible] si [illegible]
alias [illegible] [illegible] [illegible] [illegible] q[uia] [illegible]
si agit [illegible] co[n]ditione no[n] differret
executio ff. de [illegible] furti l. si [illegible]
[illegible] [illegible] [illegible] verior pars q[uod] agit [illegible] [illegible]
co[n]ditione. Adhuc op[onitur] q[uod] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ff. [illegible] [illegible] [illegible] l. i.
defenditur q[uia] ag[illegible] [illegible] dampnu[m] [illegible]
no[n] ad debitu[m] co[n]ditionale. Tertio
op[onitur] [illegible] [illegible] q[uia] [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible] [illegible] ad
[illegible] defendit[ur] q[uia] [illegible] [illegible] dampnu[m] vel
[illegible] in [illegible] legis aquil[ie] [illegible] [illegible] aquili[e]
alia [illegible] l[itte]ra e[st] q[uod] [illegible] testes
[illegible] publicantur et [illegible] i[n] [illegible] q[uia] si

actor excludetur sic absolui [illegible] pluribus
alias [illegible]. Defenditur quod non agitur ar[gumentum]
[illegible] ut testes publicentur [illegible]
in hac unica sed duas formas [illegible]
[illegible] facit [illegible] facit sed est forma
facit si post testes recepi qui erant [illegible]
dubitat. Subdebat [illegible] debitu
e pedens [illegible] ut in c. [illegible]
de testi [illegible] ut ubi dicetur [illegible] ubi non
[illegible] tuo. Subdebat [illegible]
exceptiones [illegible] hoc non [illegible]
quod dicit exceptiones [illegible] debet
admitti de iudi[illegible] hoc facium
c. [illegible] de iudi. alle[gatur] [illegible]
[illegible] sunt [illegible] ut [illegible]
de [illegible] subdebat [illegible]
[illegible] de hac [illegible]
[illegible] hoc quod si actor [illegible]
[illegible] recipientur testes
[illegible] audeat actor [illegible]
de [illegible] hec [illegible]
testabunt ut ubi [illegible]
[illegible] sunt [illegible]
quod [illegible]
[illegible] testium
quod ubi recipiuntur [illegible]
[illegible] dicit est [illegible]
[illegible]
non [illegible] si non fuerit [illegible] hic
[illegible] quod [illegible] dicit est ad
[illegible] quod [illegible] non publicentur
[illegible]
[illegible] si [illegible] de ea
[illegible] refert se ad [illegible]
[illegible] refert se ad [illegible]
[illegible] quod hic [illegible]
cum [illegible] non posset [illegible]
non [illegible] prima [illegible] ad
hac [illegible] de [illegible]
vel si [illegible] ad [illegible]
[illegible] ut [illegible]
[illegible] in [illegible]

de [illegible] non erat [illegible]
de [illegible] si erat [illegible] ubi [illegible]
[illegible] erat de monte quod [illegible]
testium [illegible]
confirmata hic [illegible]
est [illegible] confirmatur [illegible] non [illegible]
[illegible] de quo dicit [illegible]
[illegible] de [illegible] c. v. [illegible]
[illegible] glo. [illegible]
[illegible] aut [illegible]
ab [illegible] sub
[illegible] ei [illegible]
[illegible] ut [illegible] si non [illegible]
[illegible] quo [illegible]
[illegible]
[illegible] si [illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible] ubi [illegible]
[illegible] non [illegible]
c. n. [illegible] ubi [illegible]
[illegible] et si non [illegible]
[illegible] non [illegible]
[illegible] quo [illegible] non [illegible] ad
[illegible]
ut [illegible]
non [illegible]
[illegible]
ad [illegible]
[illegible] ut de [illegible]
[illegible] quod [illegible]
[illegible]
[illegible] quod non [illegible]
[illegible]
quod [illegible] recipit [illegible]
[illegible]
[illegible] de [illegible]
[illegible] ut de [illegible]
[illegible]
[illegible]

Cap. xxxiii q. [illegible] ... [illegible]

[illegible] ... nobili [illegible] ... albric[illegible]

Ex[illegible] ... [illegible]

[illegible] ... In alio [illegible] ... ut q. petitur equus vel fundus ... [illegible] ... ut q. agitur [illegible] ... [illegible]

[illegible] ... [illegible]

[illegible] ... [illegible] ... ut si [illegible] ... [illegible]

[illegible] ... [illegible]

[illegible] ... ubi agitur ut statuatur [illegible] ... [illegible] ... [illegible] ... notarius [illegible] ... mercenarium [illegible] ... [illegible]

Inglo[illegible] ... [illegible] ... Inglo[illegible] ... [illegible]

[illegible] ... [illegible] ... matrimonii [illegible] ... [illegible]

de q̄ [illegible] de illo de ipso
[illegible] degeneratio et [illegible]
[illegible] ut hic [illegible]
[illegible]
[illegible] non [illegible]
[illegible] absentia [illegible]
[illegible] absens [illegible] malitia [illegible]
[illegible] malitia [illegible]
[illegible] de morte [illegible] spirituali [illegible]
de [illegible] matrimonium [illegible]
[illegible] absens non [illegible]
[illegible] spirituali [illegible]
[illegible] de quo [illegible]
[illegible]
[illegible] limitata
[illegible]
[illegible]
non [illegible] limitata [illegible]
[illegible] Inglis
[illegible]
[illegible] Inglis [illegible]
[illegible]
[illegible]
[illegible] petitionis [illegible]
[illegible]
[illegible] articulos
[illegible]
[illegible] Inglis de
[illegible]
[illegible]
[illegible]
[illegible] circumspecta
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible]
[illegible]
[illegible]
de [illegible]
[illegible] absentia [illegible] maritus
[illegible]
[illegible]
[illegible] matrimonio [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] matrimonio glo.
[illegible] absentia
[illegible] quatuor
[illegible] impossibile
[illegible]
[illegible] circumspecta [illegible]
[illegible]
[illegible]
absentia [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
matrimonio [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
Inglis si non [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
de [illegible]

Absens [illegible]

primo citatum qui fecit e [illegible] notabitur ut primo citatum [illegible] possit [illegible] non [illegible] .l. [illegible] ff. que [illegible] ex edicto ff. [illegible] respondeat [illegible] in [illegible] teneri [illegible] vide ubi de hoc dicetur [illegible]

[illegible] Causa in rem vel mobilibus [illegible] limitando in textu vel petitioni expressat vel recipiat vel [illegible] repetat [illegible] dispositum [illegible] iudice limitatum [illegible] exponunt [illegible] Alii exponunt possessor [illegible] hoc verbum [illegible] probat textus finalis [illegible] actio [illegible] possessio [illegible] [illegible] non vult [illegible] notandum [illegible] ut in glo.

[illegible] non [illegible] [illegible]

[illegible] ut [illegible] appone [illegible] de bonis [illegible] explicat [illegible] ad penas [illegible] quod [illegible] in mediate [illegible] actum [illegible] effectum [illegible] non [illegible] quo missio [illegible] bonis possessor [illegible] aliquo [illegible] decreto [illegible] non penas [illegible] [illegible] in [illegible] vel possessor [illegible] [illegible] qui mitti [illegible] In hoc [illegible] [illegible] mobiliter [illegible] aliqui [illegible] legitime [illegible] bonis possessor [illegible] [illegible] bonis [illegible] [illegible] effectu [illegible] bonis possessor [illegible] [illegible] [illegible] qui mitti [illegible] [illegible] [illegible]

[illegible] tamen [illegible] missio [illegible] vel [illegible] missio [illegible] non [illegible] [illegible] quo missio [illegible] [illegible] [illegible] missio [illegible] non [illegible] [illegible] [illegible] [illegible] iudex hoc [illegible] missio [illegible] non [illegible] [illegible] [illegible] in [illegible] notandum [illegible] [illegible] [illegible] [illegible] iudex [illegible] [illegible] in [illegible] [illegible] in [illegible] de penis [illegible] [illegible] iudex ut [illegible] [illegible] iudex mittere [illegible] [illegible] non [illegible] iudice [illegible] aliqui [illegible] non [illegible] [illegible] [illegible] non [illegible] ut [illegible] [illegible] missio [illegible] [illegible] missio [illegible] [illegible]

i fra annu ce vult satisfacere et
cauis mag recuperabile re si post
actor vult retinere pro pig[nore] no[n] i
dur aliq[ui] q[uod] sit s[ecundu]m debitu[m] fuit de
clarati at no ¶ Si poderas hac
causa formas q[uod] aq[ui] lite g[est]a no[n]
declarat[ur] debitu[m] ut hac ty[tulo] ...
... [illegible]
pariter aq[ui] lite g[est]a ... no[n] poterit
declarari nisi ... declaratio ...
... [illegible]
... ut ... in dubiu[m] ... co[n]trar
... no[n] possit ... q[uod] no[n] fit
... non ... ut dicta de ...
... ad ... ut dicta de ...
... ¶ ... s[ecundu]m agit[ur] ...
... [illegible]
... [illegible]
... [illegible]
... [illegible]
... [illegible]
¶ ... s[i] missione ...
... [illegible]

... [illegible] ¶ ... [illegible]

ubi ... [illegible] ... expressis
et fuit ... in q[uo] ... no[n] ... de possessi
... ¶ In glosa ...
... q[uod] ... no[n] ... cu[m]
agit[ur] reali et ... s[ed] no[n] ... prima
q[uod] agens reali ... in ...
illa no[n] sit agens ... q[uod] ...
... agit[ur] ... ad aliq[ui] ... q[uod] ...
agit[ur] ... ad aliq[ui] ... declarare
... et ... ut ...
... ¶ Redeamus ad q[uod]
q[uod] s[upr]a ¶ Oppone de auct[entic]o qui ... s[upr]a
... C. de ... agi ... ubi
... qui ... facul[tat]e ... duo
... legi[ti]ma ... et ...
... q[uod] cu[m] ... ut ... in
... verba ut s[upr]a dicta ...
... de domo cui[us] ...
... et fiet executio
... ¶ Et si no[n] ... sufficit ...
... [illegible]

... [illegible]

l. in hac in dicto fi. C. Alii ponunt casum in precario dimisso ut quia quidam obligatus est in ex delicto vel quasi ut sic sit in C. ubi in rem actio l. ij. Recessit precario dimisso debitor delicto ad dominum vendendum [illegible] ut resp. quod hac non reperitur cautum l. hac causa. Alleguit aliquis C. de precario Aliqui dicit quod est t. [illegible] cum agebatur reali dic ut dixi in dicto [illegible] dicto. hoc dicitur de cuius domo [illegible] qui exponit ab illo de domo quia executio non debet fieri in bonis precario [illegible] ut l. planius ff. de precario. Alii in textu de gestore qui quietus ex obligatione domini petit dilationem ad intimandum et hoc approbat glossa in corpore autentica. Item nonne quia executio fit in bonis gestoris negociorum non domini ut dicta l. planius. Et resp. quod tamen non fiet execucio in bonis domini quod hic committitur in publico [illegible]. Alii ut [illegible] dicit quod ad [illegible] tuendum de absentis mandato de possessione quietus de [illegible] domino ut in autentica [illegible] quod dicitur ex domo exponunt executis familiaribus ff. de vi et vi ar. l. i. § quotiens. Et resp. quod mandatum in delictis non excusat. Alii dicit quod iste [illegible] non debet esse signatus hic [illegible] in l. ij C. ubi in rem actio. Ita quod [illegible] in reali pro quietus notare dominum in iudicio. [illegible] quod [illegible] [illegible] precedit in [illegible] ut si quod quod nomine alieno [illegible] obligatione et hoc [illegible] in libro. Iste in textu [illegible] quod si [illegible] non est obligatus [illegible] non agitur quod cum et [illegible] [illegible] [illegible]. Alii in [illegible] ultimo casu exponunt ut [illegible] quod [illegible] possidens nomine alieno ut hic habet facultatem nominandi dominum ita quietus ex delicto vel quasi contractu vel quasi. Alii ut [illegible] et [illegible] ponunt casum [illegible] [illegible] [illegible] dimisso precario et dominus [illegible] [illegible] [illegible] [illegible] [illegible] nominare vel [illegible] [illegible] [illegible] precario [illegible] vel

vel [illegible] ille cuius est nomine vel [illegible] agit [illegible] precario de dampno dato dabitur [illegible] dilatio ad notificandum domino et [illegible] quod dampnum datum [illegible] procedit quod cum et [illegible] multum [illegible] [illegible] [illegible] ob quod dicitur in autentica de domo quod ex [illegible] i. de familia. [illegible] [illegible] in [illegible] [illegible] interrupit prescriptionem ut l. sicut C. de prescriptione xxx vel xl annorum quod non requiritur quasi contestatio. [illegible] quod hic requiritur nec dum ad interrumpendum [illegible] ad perpetuandam actionem vel quod [illegible] non [illegible] interruptio [illegible] [illegible] ff. [illegible] l. ij § aliena [illegible] [illegible] de eo dicit quod hic non fuit [illegible] domino [illegible] [illegible] [illegible] domino. [illegible] in de [illegible] [illegible] C. de [illegible] § [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] recuperat possessionem [illegible] si [illegible] [illegible] [illegible] missio neque non recuperat ut in [illegible] § [illegible] Alii [illegible] [illegible] et [illegible] non auditur super [illegible] [illegible] super possessione quia [illegible] [illegible] [illegible] [illegible] [illegible] ut ff. de re iudicata l. [illegible] [illegible] [illegible] [illegible] fieri debeat in [illegible] domini aliqui dicit quod [illegible] alii quod [illegible] iudice [illegible] [illegible] ne quietus decipiat actorem vel iudicem [illegible] quia tunc non nocens domino si [illegible] ff. de [illegible] l. [illegible] [illegible] § [illegible] [illegible] ubi dicit dus [illegible] non [illegible] [illegible] colono non procedit lex ista et hoc [illegible] [illegible] de [illegible] c. [illegible] unde [illegible] iste § [illegible] [illegible] ne [illegible] ei credi qui dicit se alieno nomine possidere dic quod [illegible] [illegible] [illegible] hoc [illegible] [illegible] et hoc quia [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ff. de [illegible] l. [illegible] [illegible] si notarius est dus [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ff. [illegible] [illegible] si [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ff. de [illegible] l. [illegible] § si [illegible]

Q. dices de quieta realis poss. rei mob.
quod in placeat illam dum rec rei mob. sonatur
[illegible] quod fac. c. dic uno verbo quod
si possidet quod rei mob. [illegible] [illegible]
et tunc c. illam possidet ut peregrinus
et ibi possidere incipit ubi quiescunt
ff. de iudi. l. si s. legatum. Secus si alibi
incepisset possidere nisi forte fuerit vaga
bundus vel ad [illegible] vergula vel
alimentum ut de gentibus dicitur ff.
de iudi. l. [illegible] ab [illegible] vel non ibi [illegible]
[illegible] [illegible] / vel in possiden. rem
illam non ut peregrinus set quod [illegible] [illegible]
[illegible] de lombardia et. [illegible] [illegible]
[illegible] tenere per mense in [illegible] per
hanc [illegible] fuit ff. de [illegible] [illegible] l. [illegible]
[illegible] quod [illegible] [illegible] [illegible] ad [illegible]
[illegible] [illegible] actionem [illegible] [illegible] in mobilibus
[illegible] [illegible] [illegible] [illegible]
[illegible] quod [illegible] dilatio possidet cum re
mob. aufugere. glo. [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] iste
[illegible] [illegible] adfugam quod si erat [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] quod [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible] Q. dices de [illegible]
quieto [illegible] [illegible] ne dilatione ad non
[illegible] duo dicit aliquid [illegible] [illegible]
[illegible] de [illegible] [illegible] aut [illegible] in [illegible]
l. ubi de [illegible] [illegible] [illegible] [illegible] quod [illegible]
quod hanc non [illegible] [illegible] aliqua et [illegible] in
[illegible] [illegible] [illegible] [illegible] [illegible] quod [illegible]
in [illegible] et de ut ibi [illegible]
Quanta dilatio debetur dic quod est arbitraria
[illegible] si [illegible] [illegible] [illegible] et queritur
[illegible] [illegible] [illegible] [illegible] duo [illegible]
qui [illegible] de [illegible] [illegible] [illegible] [illegible]
dicit aliquem quod non [illegible] l. venditor ff.
de iudi. [illegible] [illegible] [illegible] [illegible]
[illegible] et terminum [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] fuit [illegible] [illegible] [illegible] quod [illegible]
quod sunt ne [illegible] duo [illegible] ne [illegible] ex
[illegible] [illegible] [illegible] in ut non [illegible]
duo [illegible] [illegible] quod de [illegible] et
ab [illegible] [illegible] duo [illegible] [illegible] [illegible]
[illegible] ut l. [illegible] ff. de re iudi. [illegible] [illegible]
[illegible] Reo autem [illegible] [illegible] [illegible]
cum duo et [illegible] [illegible] in quietus [illegible]
[illegible] [illegible] ut in [illegible] colono
Q. dices de [illegible] aliquis ut [illegible]
usufructuarius et [illegible] [illegible] glo. quod in [illegible]
non [illegible] [illegible] de [illegible] [illegible] [illegible] quod
isti [illegible] legitimam [illegible] [illegible] in iudicio
[illegible] volunt dicere [illegible] [illegible] agitur de iure [illegible]
ut quod agitur de dolo [illegible] [illegible] non [illegible]
Secus ubi agitur de iure [illegible] et hanc
[illegible] [illegible] in l. si [illegible] de [illegible] [illegible] ubi
quod [illegible] [illegible] [illegible] [illegible] facultate
[illegible] non quod [illegible] [illegible] [illegible] ne [illegible]
[illegible] duo [illegible] hanc [illegible] [illegible] [illegible]
[illegible] duo [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible] [illegible] possessor [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] de agri et [illegible] l. [illegible]
colonum [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] quod dices de quieto possessore qui
detinet alieno nomine quod [illegible] [illegible] facultate
[illegible] quod non [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] de
quieto actore in re [illegible] [illegible] quod in
possessione [illegible] [illegible] [illegible] legitime
standi in iudicio [illegible] qui [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] l. [illegible] [illegible] [illegible] quod
[illegible] possessor quod forte [illegible] [illegible] [illegible]
[illegible] [illegible] ff. [illegible] l. si [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible] C. [illegible]
[illegible] [illegible] [illegible] quod non [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] vel
[illegible] [illegible] si duo [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ff. de re iudi. [illegible] [illegible] [illegible]

Alii dicunt aut vero possidens cum questione
et non preiudicat eum qui possidet quod ipse [illegible]
[illegible] dicto. Si autem queritur vel
agit cum possessore tunc debet distingui ut
[illegible] l. [illegible] dicit ut in libro feudorum de controversia
feudi inter vassallum. ¶ [illegible] dices de possessore
[illegible] tamen ut [illegible] a domino qui possidet
vassallus. Causa est quia [illegible] posset queri [illegible]
[illegible] facultate restitutionis [illegible] non nisi ut [illegible]
[illegible] ad restituendum cum posset [illegible]
rubri ff. de rei vindicatione [illegible] Item [illegible]
purget [illegible] quasi [illegible] quod [illegible]
cum respondet [illegible] Wil. dicit quod [illegible]
purget quod nominando [illegible] quod non apparuit et quod
[illegible] nominat dominum [illegible] dat alia [illegible]
quod [illegible] nominando alium dominum negat petenti
dominum quod [illegible] non [illegible] dominum [illegible]
rei ff. quando [illegible] de [illegible]
[illegible] vera [illegible] quod non [illegible] fuit. [illegible]
Inglo. sic [illegible] ibi [illegible] dicit quod iudex
[illegible] recipit [illegible]
de [illegible] quos debebat [illegible] negotio
et ita dicebat Wil. [illegible] sic non
[illegible] matrimonio [illegible]
[illegible] decalogi [illegible]
[illegible] Et in [illegible] quod [illegible]
[illegible] sit missio cum custodia
[illegible] quod si [illegible]
non est [illegible] cognito quod [illegible]
[illegible] non [illegible] ita dicebat ab[illegible]
[illegible] dubitabat [illegible]
[illegible] passus missionis
[illegible] quod non sit in
in reali [illegible] quod non sit [illegible]
passo missione in [illegible]
in [illegible] reali et
[illegible] opinio [illegible] vera [illegible]
in passo [illegible] ¶ Inglo. [illegible]
[illegible] que quanto [illegible]
[illegible] aliquem [illegible]
quintos et [illegible] in [illegible]
[illegible]
[illegible]
[illegible]

nisi leges sunt correcte [illegible] vel
de [illegible] et regulam [illegible] Si
Wil. de [illegible] quod [illegible] non [illegible]
[illegible] qui missus [illegible] in re sua
et [illegible] iudicis et [illegible] forte [illegible]
[illegible] et [illegible]
[illegible] et in [illegible] ab illo [illegible] quo ab
[illegible] possessionem [illegible] non [illegible]
missione [illegible] quod tunc [illegible]
[illegible] recuperet possessionem ut l. [illegible]
[illegible] de [illegible] vel [illegible]
annos. ¶ Et in [illegible] Alia [illegible] quod
[illegible] et [illegible]
et [illegible] Item [illegible]
sic in [illegible] ibi non Item [illegible] sic
[illegible] ibi non Item sic
[illegible] ibi [illegible] Item sic
in dubitanter
in [illegible] ubi [illegible]
[illegible] opinione [illegible] fuit [illegible]
[illegible] recipit
[illegible] Inglo. [illegible] in [illegible]
[illegible] quod non [illegible]
dicit ut [illegible] quod non
[illegible]
[illegible] quod [illegible]
dat [illegible] quod [illegible]
[illegible] ponens
¶ [illegible] moderni [illegible]
de [illegible] quod [illegible]
ordo est [illegible] in favorem
[illegible] favori suo
[illegible] de [illegible]
Et [illegible]
ordinem [illegible] Item sic
missio [illegible] debiti [illegible]
[illegible] fiebat
missio in [illegible] sit [illegible]
non debiti [illegible] et fit missio
in [illegible] vel
aliquando [illegible] ¶ Inglo.
quod [illegible] de [illegible]
[illegible]
Inglo. [illegible] quod si
mittatur [illegible]

In margin: possessionem

[illegible]

[illegible]

p[er]partur

allegas p[er]partitur q[uod] hoc t[ame]n no[n] credo clerici ut .C. q[ua]ndo e[t] c[ontra] Clariam xxi q. cu[m] ep[iscop]us app[ell]atio q. c. c. n. i. rursus libri
q[ue] d[e] Sext. i m[odo] rursus terminantur q[uod] h[oc] no[n] q[uod] modernis et stari illa[m]
q[ue]stionem ut b[e]n[e] vocis / determinari / videas
ad verbum q[uod] ibi cu[m] itaque Item p[ro]cedo cu[m]
i interesse cu[m] i cedere S. de le[gibus] l. i.
de pen. cu[m] in ter alia Innumeris tra[n]sceas.
ad verbum vestr[um] modera[ti]o[n]e a[u]c[torita]te
i grado i inuidi[a] testium hoc fuerint i
generatib[us] no[n] vel inuid[i]a calu[m]pnie =
tuidum quo ad pena[m] q[u]alis fecis quo
ad eterna[m]. l. di. potest grosse et q[uod]
pena erit arbitraria. ¶ No[n] q[uod] quos
dubie p[ro]curat ad dictio[n]e[m] p[ro]ponere de fe. c.
capellanus q. q[uod] non sit. legi q[uod] bene
Item q[uod] sacri canones optimus om[n]i legu[m]
genere i [ges]to. Item q[uod] dispensat[i]o debeo
i sp[irit]u[m] et ad alios extend[ere] ut sub
allegat i [ges]to. Item q[uod] i [con]ceptu ea de
calu[m]p[ni]a iurare. Item q[uod] iura[mentu]m calu[m]p[ni]e
p[otes]t p[re]stari p[er] alium q[uod] p[er] principale[m]. ¶
Solo q[ue] p[er] i. t. c. addens q[uod] clerici
generatib[us] i[n]d[ic]ta p[re]stitit q[uod] generat[ur] a
p[ri]n[cipi]o p[otes]t solitur ut b[e]n[e] si quis S. d.
accu[sationibus] et ob[ligationibus]. q[uod] p[otes]t p[re]stare exquo
no[n] cogitur ut testis cu[m] iurat
cora[m] suo ordiario q[uod] tunc de[bet] ire ad
ipso[rum] limam, ex[tra] si p[ro]ducat[ur] cora[m] a[lio]
alio ordinario potest b[e]n[e] de mandato
sui ordinarii cora[m] layco no[n] iurat
n[on] testificatur. Si vero litigat
i ea ap[u]d p[re]tor[i]o iurat ut p[ri]n[cipali]s
de calu[m]p[ni]a ex[tra] i ca. cerco q[uod] lo[cu]m
c. tu[n]c ¶ No[n] q[uod] iurato i
generatib[us] a. no[n] i iudiciis q[uod] sep[ti]e
i citati ad ad sp[irit]ualis [...] iurare
i i[d] cu[m] ... de libert[at]e hoc fit
ne ... iudicia assumpsit i quib[us]
no[n] p[otes]t aliq[ua]li[ter] ...

gemina. In generatib[us] sola volu[n]tate libera i dant[ur] s[ecundu]m. Est ep[iscop]us
no[n] s[ecundu]m hos. nec i [con]stitut[ione]. ...
certare quib[us] expedit q[uod] h[oc] de
clerici vel. no[n] c. p[ri]o. S. de resp[ons]o
bon. S. valeat. Contra d[ic]it cecus
p[otes]t iurare p[er] sua[m] p[er]sona[m] Alii
dicunt q[uod] n[on] i solu[m] uid[e]o n[on] certo
n[on] i generatibus iurare p[otes]t p[er]
aut[orita]te p[er]sone / s[ed] sciendu[m] q[uod] c[um] clericus
in dicto ordinario vel del. s[ed] iurat
cora[m] eo i t. au[ctorita]te p[re]stare.
a. q[ua]lib[et] q[uod] iudicare p[otes]t c. p[ro]p[ri]a[m]
q[uo]d[a]m ad illu[m] ceu[m] ep[iscop]us dicioris
quam p[otes]t alieni[s] impedi[m]e[n]tis xxi di.
i. ferior s[ecundu]m m. ¶ vel dic q[uod] s[ecundu]m p[otes]t
ea clerici vel eccl[es]ie p[otes]t re[rum] q[uo]d[a]m
ne cora[m] iudice cu[m] peculiu[m] de fo
qu[ia] e[st] cu[m] p[otes]t / ex quo h[oc] h[ab]e[n]t lima[m]
q[ue] quos p[otes]t cora[m] ea facere ei[us]
p[er] q[ua]lis ea no[n] p[otes]t [com]perire de
of. del. p[er]t[inere]. Et p[otes]t p[otes]t iurare
de calu[m]p[ni]a. de. pena i c[ontra]d[ictu]m. =
Sicut h[oc] p[otes]t ea clerici vel eccl[es]ie
d[e] m. q[ue] clerici no[n] p[otes]t eo p[ri]m[u]m,
alii[s] p[er] sua[m] p[re]lati ne clerici ut
m[odo] c. a. ex quo limam
h[ab]e[n]t tunc aut pactis = Addebat hoc
q[uod] eade[m] r[ati]o[n]e qua litigat clericus cora[m]
no[n] suo iudice de sua[m] exacti[on]e. ¶
Cu[m] mariam tuti q[uo]d i p[ri]o. quo
iure p[otes]t i troductu[m] hoc vim iura[mentu]m
dicit aliquis q[uod] iure veteri ff. c. p[ro]p[ter]
ff. de. dyp[loma]. i f[a]c[t]o l. qui bona S.
p[otes]t ff. de imp. imp. l. meis et in vrale
S. qui meis in vrale. Item leges
hoc no[n] p[otes]t q[uod] loquuntur de and[ienti]o
i [com]mu[n]e ex ff. [...] S. inter
h[er]ed[ita]te S. cum [...] b[e]n[e] p[otes]t

cum iure ff. [illegible] ueniendo de calump.
[illegible] ff. [illegible] [illegible] iure nouo C.
ff. principalis et [illegible] plus
[illegible] in [illegible] et emergentibus
ut [illegible] C. [illegible] et hoc [illegible]
lite [illegible] [illegible] [illegible] [illegible]
in productum est [illegible] [illegible] [illegible]
[illegible] [illegible] lite [illegible] plus [illegible] hoc
correctum est. lex prima que [illegible]
lite [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] effectus [illegible] iure
nouo que [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] C. [illegible]
[illegible] [illegible] aliqui hoc correctum [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] quod lex prima
procedat [illegible] quibuscumque [illegible]
[illegible] [illegible] lite [illegible] [illegible] [illegible]
lite [illegible] non [illegible] nisi [illegible]
et hoc [illegible] [illegible] [illegible] ut [illegible]
[illegible] [illegible] de [illegible] cum [illegible]
[illegible] [illegible] lite [illegible] [illegible]
[illegible] actor [illegible] iterato [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] non [illegible] que [illegible] lite [illegible]
non [illegible] actio C. de [illegible] [illegible]
C. quia et qui [illegible] [illegible] [illegible] [illegible]
defendere [illegible] que [illegible] [illegible]
[illegible] [illegible] et [illegible] que [illegible] cum
[illegible] [illegible] [illegible] [illegible]
in medio [illegible] [illegible] [illegible] [illegible]
iterato glo. in [illegible] quod non [illegible] [illegible]
in [illegible] cum [illegible] [illegible] [illegible] [illegible]
[illegible] ff. de [illegible] [illegible] [illegible]
[illegible] ff. de [illegible] [illegible] [illegible]
[illegible] in [illegible] [illegible] finita [illegible] et
in [illegible] in [illegible] [illegible] [illegible]
iterato dic quod [illegible] cum in [illegible]
[illegible] acta [illegible] in [illegible] [illegible]
non. [illegible] [illegible] de [illegible] [illegible] [illegible]
hoc [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

non ab [illegible] ut [illegible] [illegible] [illegible] que [illegible] [illegible]
a [illegible] tu [illegible] cum et ego [illegible] [illegible]
[illegible] ne [illegible] de calump. glo. in [illegible]
[illegible] quod [illegible] [illegible] [illegible] [illegible] glo. [illegible] quod
glo. est [illegible] ubi ego [illegible] [illegible] [illegible]
plus [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
restituere [illegible] [illegible] et [illegible] bona fide
ff. de [illegible] [illegible] [illegible] ff. mandati [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] de [illegible] [illegible]
[illegible] quod in plus hoc [illegible] [illegible] ut
in glo. [illegible] [illegible] [illegible] hoc [illegible]
[illegible] calumpnia [illegible] [illegible] aliud dic
quod [illegible] et [illegible] [illegible] [illegible] [illegible]
que [illegible] non [illegible] [illegible] [illegible] [illegible] facto et hoc
[illegible] [illegible] quibus causis debet [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] glo. [illegible] [illegible] [illegible] prima quod
[illegible] [illegible] quod non [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
glo. cum [illegible] et in [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] non ob quod [illegible] [illegible]
[illegible] que [illegible] in [illegible] que [illegible]
calumpnias in [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ob lex que cum [illegible]
de [illegible] [illegible] libertis que [illegible] calump.
[illegible] [illegible] [illegible] non [illegible] [illegible]
[illegible] non [illegible] lex [illegible] calump.
[illegible] [illegible] [illegible] [illegible] [illegible] in cum in
[illegible] aliquis [illegible] [illegible] [illegible] ex
officio mero ut non [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] ut [illegible]
[illegible] quod in [illegible] [illegible] [illegible]
[illegible] lex mandat quod actor [illegible]
et [illegible] [illegible] [illegible] cum [illegible] ex mero
officio ibi non est actio [illegible] fama de
[illegible] [illegible] et [illegible] [illegible]
[illegible] cum [illegible] [illegible] [illegible]
in ne actor calump. [illegible] [illegible] [illegible]
[illegible] hoc [illegible] in [illegible] in [illegible]
[illegible] [illegible] [illegible] [illegible] non [illegible] in [illegible]
[illegible] [illegible] debeat [illegible] in
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

exceptione iuret dicit [illegible] ut dixi [illegible] et si
et hoc est exceptio quam [illegible] demum [illegible]
de carnagio non est dubium [illegible] in iudicio [illegible]
iuretur. Item de publicis et spiritualibus causis
dicit Hostiensis ut supra e. c. fi. libro et ubi nominat
voces quas ponit [illegible] contra [illegible]
ideas. [illegible] in ca. appellationis dicit quod est [illegible]
[illegible] Hostiensis quod sit supra e. c. [illegible] libro et movet
ubi Bonifacius quia hac [illegible] generaliter in [illegible]
quia non est de superiori [illegible] quia [illegible] iuratur
de calumpnia [illegible] [illegible]
[illegible] ad petere [illegible]
[illegible] duorum [illegible]
[illegible] et dubitatum quod
in ca. appellationis [illegible]
[illegible] in ca. appellationis [illegible]
in quo statu litis debeat prestari iuramentum
calumpnie [illegible] in litis exordio quod est
litis [illegible] quia hac iuramentum [illegible]
[illegible] debet [illegible] cum [illegible]
[illegible] litem [illegible]
[illegible] iuramentum est [illegible]
[illegible] quia [illegible]
[illegible]
[illegible] generaliter [illegible]
[illegible]
[illegible] iuramentum [illegible]
debet [illegible]
[illegible]
[illegible]
[illegible]
[illegible] non [illegible]
[illegible]
qui debeat iurare dicit [illegible] ut
[illegible] et [illegible]
ut [illegible] filii [illegible]
[illegible] in [illegible]
[illegible] iudicio iurare de calumpnia
[illegible]
[illegible]
[illegible]

[illegible] de [illegible]
testimonium [illegible] iurare debent [illegible] de
testi. [illegible] [illegible] dicit
est quod iuramentum calumpnie est sub
[illegible] iudicii [illegible]
aut non est [illegible] in iudicio
[illegible] iuramentum debent [illegible] teste non
est sub [illegible] iudicii [illegible]
[illegible] testimonium [illegible]
[illegible] remitti de
[illegible]
[illegible] causis spiritualibus
[illegible] quod non [illegible]
habeat spirituale [illegible]
[illegible] causis spiritualibus
[illegible] iurare et [illegible]
[illegible] et movet [illegible]
[illegible] dicit quod et [illegible]
[illegible] debere
iurare [illegible]
[illegible]
[illegible] de [illegible]
[illegible]
[illegible] cum
[illegible] dicit
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

et supra e. pro laudare de procur. q. conditio ... vi
g. et iurare. dico ... hoc tangit ...
c. c. f. ... Secundo q. pro deneo q.
datus ad negocia ... q. pacit ...
le mandatum requiritur est si uniuers
sit instructus de procur. qui ad agendum dat
e. l. et iuramentum hoc est de requisitis
... non patitur ... re q. ...
inrelinem de calumpnia dicit q. primo actor
postea reus. In duplicibus iudiciis iura
bit primo qui prior appellat ... iura
bit est de ueritate et malicia et hoc
iuramentum de malicia ... q.
continet ... actum ... quo ... iuramentum
Iuramentum ... ueritatis ... continet ...
et hoc ... dolus ...
... discernitur ... corporis
[illegible]

non excusatur q. ... intelligi debet
... astringatur lege iurare. ... in ... testes
de iuramento calumpnie ... iuramentum ...
q. hoc ... iuramentum ... non remittitur
q. continet ueritate ... publicum ... c. c. l. ...
... in iuramento testes q. continet ...
... de testi ... c. ...
[illegible]

... In ... causis de calumpnia ...
... iuramentum et ...
[illegible]

de quacumque introducente id quod sufficit ad inducendum xxx q. 6 indicatum [illegible] Alia alietatem sufficit sufficiunt ad inducendum de presumptione afferente cum ycon...
Juris 1 so. de calump. debet iure de ere dubitare [illegible] 7 uerus de benedicte pre iure de credulitate 2 ueritate 2 iuramentum ueritatis s[illegible] q. presbiter testis iuramentum dicitur de calumpnia e. id quod gerunt totam causam iuramentum de malicia prestatur quamquam equitatis uel [illegible] causis moueat Jn glosa 1 ibi proditur [illegible] gesserit 1 c. [illegible] 2 hos. que ad id de qui et uel al. c. que in dubiis 2 afferet [illegible] 2 in fert quod cum non sit mere [illegible] sufficit [illegible] quod de [illegible] facere 2 id fit prestandum in xxx q 6 ad [illegible] 2 fecit quod non 2 in ... c t q ... pro primum corpus quod dictum est ibi [illegible] est 1 [illegible] inuenitur 1 c c 1 in 61 [illegible]

Juramentum de calumpnia differt a prestabili prestandum

Non dicitur [illegible] 1 in districte uel in [illegible] cum s[illegible] de non. Vehementis [illegible] [illegible] 1 de [illegible] periculis esse Jn. [illegible] debet [illegible] prelati sunt in [illegible] uel non [illegible] sunt religiosi uel [illegible] quod opus [illegible] [illegible] quibus [illegible] dicere 2 tam dimissus iure. ut [illegible] ad [illegible] articulo [illegible] de nouo de [illegible] in [illegible] non [illegible] [illegible] in [illegible] condicionis 1 c [illegible] glosa [illegible] [illegible] in [illegible] ad certa [illegible] [illegible] restat [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible]

[illegible] que [illegible] non [illegible] uiuere q. s. aliquos dicit quod s[illegible] [illegible] [illegible] supplicat [illegible] quod [illegible] [illegible] uiuit [illegible] legitima [illegible] [illegible] quod actor non [illegible] [illegible] sua. Jn glosa 1 in s. quod forte de [illegible] non habebat yconomum uel ad s. legis [illegible] s [illegible] s [illegible] dicit quod [illegible] legitima administratorem [illegible] uiuere [illegible] corpus [illegible] quod non habet [illegible] [illegible] parte [illegible] ydoneam [illegible] ipsius corporis. Jn glosa [illegible] ibi [illegible] non [illegible] de [illegible] [illegible] de [illegible] ut dixi de [illegible] et ibi [illegible] capitulum [illegible] [illegible] quod [illegible] [illegible] non [illegible] ... ff. quod [illegible] uniuersitatis l. 1 [illegible] de [illegible] c. [illegible] Et addebat [illegible] quod non [illegible] [illegible] [illegible] [illegible] in certis in feruoribus et in [illegible] [illegible] quod in certis [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] alia [illegible] de [illegible] et ibi [illegible]
Jn [illegible] [illegible] [illegible] quod [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ibi [illegible] Jn certis in feruoribus [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] Jn glosa [illegible]

[illegible]

pe ūcare nūg(ua)ri p(er) no̅ repellit m(agistr)ū
filia(m) ... hoc d(icit) ad l(egem) collocata(m)
l(egem) legis. Alii distin(guunt) inter
feuda(m) magna(m) et parua(m). Sim(iliter)
de deci(m)a q(uod) l(icet) p(er) contraria(m) c(on)su(etu)d(i)nes
talis repellit i(n) fine q(uod) iura alt(er)a
i(n) glo(sa) no(n) t(ame)n p(ro)bant negotia
c. de pet(itione) i(n) p(er)petu(um) off(icio) l. b(ea)ti
durandi pr(ae)ter catholicos c. de s(acro)s(anctis) eccl(esiis) c.
l. i.

Ite(m) p(ro)ut ca(usa) mandati n(on) mandatum
ibi mandat(ur) clericis dato(r) s(unt) p(er)
medicina(m) alibi p(er) doct(or)e(m) ...
... ff. de h(ere)re p(ro)c(uratori) l. i. § c(on)stituti
c(on)sue(tudine) d(icit) no(n) p(re)scribi hoc iura(ment)u(m)
et erat i(n) Anglia d(icit) c(on)sue(tudo) s(uper) p(er)
nat(ura) fori q(uod) recusare ... et p(ro)p(ter)
hoc appellat no(n) audit(ur) hoc bis
ut aliq(ui) mstat(ur) c(um) q(uo) forte
p(ro)p(ri)o q(uia) no(n) p(ote)st c(om)pelli. S. c. c. i.
Nota(n)t hic q(uod) doct(or)es ... d(iscu)tiunt
s(uper) dispe(n)satio(n)e l(ege)s n(on) no(n) r(espo)nd(e)t
n(on) l(icet) q(uia) c(on)sue(tu)d(ine). Bulgarus q(uod)
q(ua)ndo de fideiuss(oribus) c(on)stitut(um) ... d(icit)
dupl(e)x fuit c(on)sue(tu)do. Ingeniu(m) ...
q(uod) legi q(ui)d. Nota q(uod) ... p(ro)
m(er)it de calu(mnia). Ite(m) de ...
q(uia) q(uod) de nouo c(on)st(ituta) ...
... c(on)ue(nit) a glo(sa). Inglo(sa)
... q(uo)d glo(sa) no(n) p(ro)
... i(n) p(ro)cur(ator)e ... spi(ri)tale manda
tu(m) l. c. c. s. i(n) l. ... ubi no(n) q(uod)
... d(icitu)r p(ote)st ... n(on) ...
t(ame)n ... q(uod) ... ...
... c. de p(ro)curat(ore) ... l. n(on) ...
... [illegible]
... [illegible]
... [illegible]
... [illegible]

No(n) d(icit) q(uod) q(uia) ... mitt(er)e ... p(ro)cessu(m) ...
... admini(str)are calu(mnia)e ... t(ame)n ... de p(ro)ba-
lis ... e(st) c(on)tra ... agere et
excipe. Una calu(mnia)e i(n) hoc fit ... (Nota)
Nota q(uod) ... d(icitu)r p(ro)curatore ... remota iste
e(st) p(ro)ponit. Ite(m) q(uod) licet ... p(re)stat iura(ment)u(m) de
calu(mnia)e ... alt(er) ... c. Oppo(nitur) ...
agebat ... faciendo ... debuit ... querere
contra ... de se ... generale
quoniam ... ubi ... noluerit
excipe(re). Vel d(icit) q(uod) ... e(st) de p(ro)p(ri)o p(ro)p(ri)o
... uo(lun)ta(s) ... mag(is) ...
... et ... de
... q(uod) ... ite(m) q(uod)
op(er)atu(r). Oppo(nitur) n(on) ... spiritualib(us) no(n) p(re)stat(ur)
p(re)stat(ur) iura(ment)u(m) de calu(mnia)e ... c. ... Qu(ando)
... litigabat de ... ad ...
... q(uod) e(st) ... d(icit) ut c. i. p(ro) c. ... ibi.
Oppo(nitur) ... p(ro)cur(ator) no(n) cauet de rato ...
... de mandato de p(ro)cur(atoribus) c. i. et l. i.
... c. ... excipe de rato i(n) ca(usa) decretis
... vel ... mandatu(m)
... p(ro)cur(ator) ... q(uod) ... rati
c(on)stitue(n)te. Oppo(nitur) ... p(ro)cur(ator) no(n) iurat
de calu(mnia)e. C. c. c. aut ... ubi p(ro)p(ri)os
p(re)stat hoc iura(ment)u(m) de calu(mnia)e. ...
hoc ... collig(itur) vel. d(icit) q(uod) ipsi erit
p(re)iudicium. ... d(icit) ... q(uod) no(n) curat de nat(ura)
s(ed) de no(n) c(on)stitutione ... ab ... c(on)tra
... vocat(ur) p(re)iudic(ium) c. ... a no(n) d(omi)no ...
decreto ... c. d(icit) t(ame)n no(n) ... q(uod)
... q(uia) no(n) p(ote)st ... de ... c. ii. ...
... p(ro)cur(ator)e ... decreto ...
... aliud. ... aut ...
... c(on)stituitur p(ro)cur(ator) e(st). S. c. c. l. ii.
Iurib(us) aut no(n) ... c(on)stituere ... et
Inglo(sa). i. ibi q(uod) s(uper) ... Legiste ...
... q(uod) ... p(ro)cur(ator) ... p(re)iudic(ium)
... de p(ro)cur(atoribus) ... i(n) ... ad ...
... q(uod) ... q(uod) ...
i(n) ... [illegible]
... [illegible]

net aliorum arbitratur ut [illegible] voces
vel quia [illegible] pares voces [illegible] [illegible] magis
i clamitur ad alterum opinandum ¶ [illegible] boni
[illegible] Plato [illegible] pytagoristarum topicum [illegible]
[illegible] demonstrare [illegible] ut
[illegible] [illegible] moventur ad [illegible] opinandum
movetur ad aliud [illegible] credulitas [illegible]
[illegible] dicitur ut [illegible] non credit [illegible]
[illegible] [illegible]
quia credulitatem excludit [illegible]
[illegible] de confessione [illegible]

¶ [illegible] non [illegible] [illegible] vero [illegible]
aliud [illegible] [illegible]
[illegible] non [illegible] [illegible] partim
[illegible] non [illegible] [illegible]
[illegible] [illegible] errore
[illegible] [illegible] [illegible] capitulis [illegible]
[illegible] ¶ [illegible] [illegible] [illegible]
[illegible] de quo dixi [illegible] singulis [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] a lege ut [illegible]
[illegible] de quo [illegible]
ut [illegible] [illegible] allegatum
[illegible] ¶ [illegible] [illegible] ut dixi
[illegible] declarat [illegible]
[illegible] [illegible] dicere
[illegible] [illegible] vera opinio
[illegible] ¶ [illegible] [illegible]
[illegible] [illegible] de veritate [illegible] de
[illegible] credere [illegible]
et alicui [illegible] facere [illegible]
[illegible] de [illegible]
[illegible] [illegible]
[illegible] de [illegible] videamus
[illegible] de [illegible] marcellus ¶ [illegible]
[illegible] [illegible]
[illegible] [illegible] non
[illegible] [illegible]
[illegible] [illegible]
[illegible]
[illegible]
[illegible]

[illegible] iurare [illegible]
[illegible] ¶ sic [illegible]
¶ [illegible] hac [illegible] [illegible]
[illegible] [illegible]
de [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
de [illegible] ¶ voluntarius
vero admittitur [illegible] optatum
[illegible] ¶ [illegible] debebat
[illegible] [illegible] de [illegible]
[illegible] [illegible] [illegible] de
[illegible] de [illegible]
[illegible] [illegible] et tunc [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] non [illegible]
[illegible] ¶ [illegible] de
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
de [illegible] de rebus
[illegible] ¶ [illegible]
quo ad [illegible] de [illegible] quoties
[illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
ut [illegible] de [illegible]
de [illegible] et [illegible] de
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible] de [illegible]
[illegible] [illegible]
[illegible] [illegible] [illegible]
non [illegible] [illegible] de [illegible]
[illegible] [illegible]
[illegible] de [illegible] non [illegible] de
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible] de
[illegible] [illegible]
[illegible]
[illegible]

[illegible]

l. i prima c. de libro. Testes aut(em)
non solu(m) iurat de veritate. [illegible] de
quo [illegible] [illegible] gesta sunt [illegible]
testi [illegible] gestum [illegible] et [illegible] qui
iurat [illegible] [illegible] de veri(tate)
dicenda et est [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] de veri(tate)
dicenda [illegible] [illegible] iuratis [illegible]
[illegible] quinto de veri(tate) asserens
[illegible] [illegible] [illegible] credit [illegible] non est
[illegible] [illegible] non [illegible] [illegible]
[illegible] [illegible] iurat de calum(nia)
hac [illegible] [illegible] ubi [illegible]
[illegible] iurat de veri(tate) [illegible]
mandatum et iurat ut mandatum
[illegible] non solum [illegible] [illegible]
credita et iur(amentu)m de veri(tate) [illegible]
iur(amentu)m [illegible] [illegible] non iurat
de [illegible] [illegible] [illegible] ut [illegible]
[illegible]

Iudices [illegible] [illegible] [illegible] [illegible]
dilation(em) [illegible] [illegible] faciendas
[illegible] [illegible]
de dilationibus [illegible]

[illegible] [illegible] appell(atio) [illegible] [illegible] ubi [illegible]
[illegible] [illegible] questiones et [illegible]
terminanda ad petitio(nem) [illegible]
[illegible] agebat [illegible] [illegible]
[illegible] [illegible] iudices non deferentes
appell(ationi) procedebat [illegible] [illegible]
in [illegible] [illegible] dubitabat
[illegible] [illegible] ut deberet
de appell(atione) [illegible] [illegible] [illegible]
[illegible] ff. de [illegible] [illegible]
[illegible] debet [illegible] [illegible]
[illegible] [illegible] [illegible]
c. de [illegible] [illegible] [illegible] debet
dari [illegible] [illegible]
[illegible]

appell(ati)o(n)e [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] appell(ati)o(n)i de terminis
[illegible] [illegible] terminus [illegible]
[illegible] [illegible] [illegible] [illegible] dari
[illegible] non [illegible] [illegible] [illegible] [illegible]
appell(ati)o(n)i [illegible] appellari [illegible]
non [illegible] [illegible] pluribus [illegible]
[illegible] [illegible] non [illegible] [illegible]
appellatum [illegible] iudicis [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
appell(ati)o(n)i non dabantur [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
dicebat [illegible] [illegible] [illegible] dari [illegible]
[illegible] dicebat [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible]
[illegible] appell(ati)o erit [illegible] et [illegible]
[illegible] [illegible] iudicium [illegible] [illegible]
[illegible] [illegible] [illegible] appell(ati)o
[illegible] vigore [illegible] [illegible] [illegible]
[illegible] [illegible] appell(ati)o dabantur [illegible]
[illegible] appellat [illegible] vigore [illegible] [illegible]
[illegible] [illegible] restringendo ad
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] appell(ati)o [illegible]
[illegible] non [illegible] nulla [illegible] [illegible] [illegible]
ff. [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] non [illegible] [illegible]
[illegible] [illegible] ad [illegible] [illegible]
[illegible] dubitet [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] appell(ati)o a termino [illegible]
assignato [illegible] [illegible] [illegible] non
[illegible] [illegible] de [illegible] non [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] de [illegible] [illegible]
[illegible] appell(ati)o [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] non [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]

dari nimis [illegible] p exceptionis credo q patet
appellatio [illegible] textus [illegible] glossa. ¶ [illegible] si
articulus [illegible] [illegible] tamen 2 dicat articulus
nimis artari p exceptionis auditur ne
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] q non
[illegible] si dicat [illegible] non esse iudice [illegible]
[illegible] [illegible] de facto [illegible] de facto [illegible]
[illegible] [illegible] si non admittit audiri
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] nimis [illegible] tamen
si non [illegible] non [illegible] parte [illegible]
[illegible] non [illegible] cum aliter debet dari
dilationes [illegible] si sit [illegible] p exceptionis 2 [illegible]
[illegible] ¶ [illegible] [illegible] de [illegible]
et de [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] de liberti [illegible]

[illegible] [illegible] [illegible] [illegible] adiecisti [illegible]
alia [illegible] [illegible] [illegible] [illegible] [illegible]
fit [illegible] [illegible] ut appareat de [illegible]
[illegible] [illegible] [illegible] sufficit [illegible] de origine
[illegible] fiat fides cum [illegible] de [illegible] [illegible]
cum [illegible] [illegible] [illegible] [illegible] [illegible]
¶ [illegible] [illegible] [illegible] [illegible] differentia de
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] non [illegible] [illegible]
[illegible] non est [illegible] [illegible] non [illegible]
[illegible] ¶ [illegible] [illegible] non est [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ¶ Colligitur
aliquem [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] de [illegible] et [illegible] ¶ [illegible] si [illegible]
[illegible] [illegible] non [illegible] [illegible] [illegible] non
[illegible] [illegible] [illegible] [illegible] iudicij
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ¶

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] 2 [illegible]
[illegible] [illegible] q sit dilatio [illegible]
[illegible] q est [illegible] datum a lege iudice
vel parte [illegible] limitatum [illegible]
[illegible] [illegible] [illegible] datum [illegible] [illegible]
[illegible] ¶ dilatio est facultas
[illegible] [illegible] agendi [illegible] [illegible]
limitatum a lege iudice vel parte
[illegible] ¶ [illegible] si [illegible] [illegible] [illegible]
[illegible] est [illegible] [illegible] si [illegible]
dilatione [illegible] facultate [illegible]
[illegible] si [illegible] [illegible] [illegible] ¶
[illegible] [illegible] sit dilatio [illegible]
q [illegible] [illegible] ut dilatio [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] 2
[illegible] [illegible] a lege [illegible] [illegible]
[illegible] ¶ [illegible] q datur a iudice
[illegible] [illegible] [illegible] [illegible] q [illegible]
[illegible] [illegible] [illegible] ff. de [illegible] [illegible]
[illegible] [illegible] [illegible] ¶ [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] q datur [illegible]
ad [illegible] ¶ [illegible] [illegible] [illegible] cum
[illegible] [illegible] [illegible] [illegible] [illegible] 2
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] 2 [illegible] q [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible] [illegible] de
[illegible] [illegible] [illegible] [illegible] ¶
Tu [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] de [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] de quo [illegible] est
de [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] de [illegible] q
[illegible] [illegible] ut [illegible] [illegible] [illegible]
[illegible] vel [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

ff de l. iiij l. no c. Tu q. Sunt
due pri aufferendi ut v. i dubia tu
q. s. bariet. facor segtur barie polin.
ad testes quendos vel producendos et
quib. requirit tps sunt cu no possit
fi esse i duplo tanto ¶ Tere
i videt q dilationes dan. hec audiat
q i ca criali reo dan. tres dilationes
triba e vicab. cu illa ce cognacie de
qua dicit c. de. actori due solo ff. e
ti. l. fi. plus hoc i ca adulterii ff.
de adul. l. i crime ope hec negat
2 i telligit lege. illam de dilatoe
ad producendu et de i alius criminibus
& ut q exhibeat. Juncta at cumuli
s u. dara fuit dat. una. l. orac
ff c. t. s dat. cu id ce cognicoe
de q. c. Nec distiguit actori a reo
ff c. q i caa legis C. e. t. Jud. du
neutri dat. C. e. t. l. cu ambo. Si
aut fuit dara una et tuli testes q
ducti dabit. sd. 2 ter. q ita i pitö
i sima c. 3 sic negit. cu maiori ce
cognicoe q sima ubi. tercia no da
bitur iiij. Nisi fuada fuit legis
de testi cu tercia. Sciendum at
alia fiu. nulle dan. ut ibi. Si aut
testes sit producti i sima no dabit
s. ubi sima simj sit publ. ad
probanda c. e. t. test. dicte qua s.
de testi fraternitatis i nu s. mea
appltes ut i cle testib. de testi. Si
aut cau sit publ. dabit. nisi nomine
sit producti testius vel id ebuert
multa effrenata de testi cam. Si
sit publ. q dabitur ad probanda
nova capita 2 nove ce capitalis hoc
nova capita ca agit de crimine ad penam
i corpore i pericula ff. de publ. iudi
l. ij ff. de publ. l. reicapitalis.
... agit. de crime
... i nu ... q ... [illegible]
[illegible]

¶ Reperitur est allegatoria 2
hec dat. ad allegandum
Reperitur est expectatoria q dat.
alti parti ad expectandu absentem
C. de fideius. autt. si q... cu
C. ubi a r e acto. l. ij. s. et C. d.
de crime agi qu. autt. q. i primaria
Jud. du actori absentis C. quo 2 qu
ciu iudex autt. q sel. s. de dilationi
Jud. du reaff. de iudicie l. ad peti
toriu ¶ Reperit est diffinitoria
q dat. ad diffiniendu s. finaliter 2
illa debz esse p. eptoria ff. de re iud.
l. de unquaz ¶ Reperitur est iudi
catoria q dat. ad exequendu re iudi
catam. de of del. quoniam ff. de
re iudi. l. ij. Jt. appellatoria q
dat. ad appellandu et dat. a lege
ij q. vi. biduu. Sed ego q
si dilato dat. sit hoc in speciem a lege
no sit tenuari. Si vero datur cu
hoc insertu bu pit. hac nobis
i c. questio de except. At q exple 2
quasda leges t. Bar. q dilatio
q dat. a lege sit hoc in spe tenuari
sit audire. Jt. Jn qo i serit. tenor
2fuci ut videat. actum forte iudice
Subdebat q si tenor i serat. i citato
et exprimat. ca pre q no beat citat
et dere sit iudex. valet processus sit
q cu ¶ Si u. exprimat in tenor
et ca no exprimat. 2 no erat iudex
no valet processus C. si ano spe
iudi p. toru. Jdc est si sit delictus
h. expat latini. Jtem in iudicio actida
ree generatis vel delicti. ¶ Credit
si iudex ordinaris citat q. ce tenu
terminu q. ... sub... contractu vel.
delicto. delicti. s. ei no erat subditus et q
pareat procede q. cu ac si fuiss
ab initio 2 subditu. q. in plato
i nuf q. l. ij ff. de iudi. q. h. si
... [illegible]

q̄ ē iudex ... [illegible] ... si respiciat
ibi et est exprimatur articulus citatio
¶ [illegible] dubitat ... [illegible]
agitur ... quod expressa ... citatus
ex tenorem articuli contentum ad
[illegible] missione ut ... [illegible]
... de fugere ... [illegible]
... [illegible] ... citatus ex causa
delicti contentum ad missione de rap
... [illegible] ... ut ... [illegible]
¶ [illegible] dubitatur quod si ... compareat ...
non declinat ... [illegible] ... cum
... [illegible] ... prorogatione ff de
iudi. l. ... [illegible]
... [illegible] ... ¶ [illegible] dubitatur
quod ... [illegible] ... iudex super nego
... [illegible] cognoscat ... [illegible]
de [illegible] ... [illegible]
... [illegible] ... iudex non ...
... [illegible] ... [illegible]
... et ... de off. del. ... [illegible]
... ¶ [illegible] favorabiles
¶ [illegible] dubitatur quod si ... citatio exprimatur
error ... citatio citatus
non tenetur comparere ut si dicat
cito te ut ... [illegible]
... [illegible]
... [illegible] ...
... [illegible] ...
... [illegible] ... citatio ... est dare
... [illegible] ... exprimere ...
non stringitur citatus ¶ [illegible] dubitatur
quod si mutatur actor ... [illegible] actor
... [illegible] ... exceptione.
... [illegible] missione ...
... [illegible] ff de ... [illegible] ¶ [illegible]
si actor allegat ... [illegible]
... replicat de dolo ¶ [illegible]
... [illegible] ... iudex
... [illegible] ... non
... [illegible] ... [illegible]
... [illegible] ...

quod ... [illegible] ... non audiretur
si ... [illegible] ... [illegible]
... [illegible] ... de processu
... ordinario ¶ [illegible]
... quod ... del. non mittat ... [illegible]
... [illegible] ... mittere tenore ...
tenor ... de off. del. cum ... ¶ [illegible]
... quod si non compareat ... iudex
... [illegible] ... mutatio ... ut
... [illegible] ... ¶ [illegible] ... [illegible]
... [illegible] ... citat ...
... [illegible] ... [illegible]
... quod ... non ... et si ...
non ... nisi ... [illegible]
... [illegible] ... allegare
2. libellum ... de off. del. cum ...
... ¶ [illegible] ... a curatoris
... [illegible] ... allegat ...
... [illegible] ... iudex ... tenore ...
... iudex ordinarius ... [illegible]
... [illegible] ... del. non ... [illegible]
ff. si quis cau. l. ... et ... [illegible]
et l. ... ¶ [illegible] ... curatorium ...
ordinarius ... qui non ... de ...
... [illegible] ... causam ut ...
... [illegible] ... delinquit ... citat
... [illegible] ... [illegible]
... [illegible] ...
... [illegible] ...
de ... [illegible] ...
l. ... ff de iudi. quod ...
... [illegible] ... in quo
... citat iudex ... [illegible]
... [illegible] ...
... non ... ibi non ... [illegible]
... [illegible] ...
... [illegible] ... ff. de iudi.
l. non videtur ... [illegible]
... [illegible] ...
... [illegible] ...
nisi ... de maleficio
... [illegible] ...
... [illegible] ...
... [illegible] ...
... [illegible] ...

de fi. que c. fi. ¶ Secundo si citatus. Veniat et licet contestatus fuerit non creditur in iure vel facto sed ferri pena quia cum et iudex devolutum est. que ff. de re iud. l. miles ff. ult. de fo. que per maliciam si probatur quod contumaciter iudex et ubi citatus necessario vel et ubi in Venit citatus non comparuit et in preiudicio partis et si in talis citatur non quod paruit. licet non est procedi valide possit ut. licet non est ut quam sibi ubi quod cum non fuit vera. licet credebatur et ut sic presentetur veritas quam in de. Reg. libro citatus comparuisset et vere et apparuit esse cum exquo citatus fuit procedi potuit citatus in et cognosse an pena sit incursa depositi super hoc non cum cognoscitur de pena. cognouit an sit iudex vel in ¶ Sed quod procedat super pena. hec non [illegible] non est processus. vere in [illegible] cum si nuncio quod pena sit imposita procedat super pena ut patet supra ubi dixi quod non sit iudex et quod pena sit lata et non per iudice quod pena transiuit in rem iudicatam quod quod puniendi sunt per iudice et sic vera quod citatus debeat ordinarie ¶ Octaua quod citatus in de. l. in delicto quod sed sic certos terminos quos non licet cum [illegible] de re iud. in dicta est ordinarius [illegible] sit in suo termino. Et ad. vel que de [illegible] in petitionem de quod det. [illegible] ordinarius [illegible] ¶ Nona quod quod si [illegible] licet esset in petitione [illegible] possit cognosse an esset iudex debet de re iud. super hoc ¶ decimo quod si pars citata [illegible] pro sue impedimentis super et quod non possit esse pro impedimentis non cum comparere ut si citet [illegible] super [illegible] comparare vel [illegible] ¶ Vel tollas ¶ respondeo quod si in citatorio exprimitur in iusta vel in [illegible] quod [illegible] apparent quod [illegible] dilatoria

[illegible] declaratur non [illegible] si citat quod videt spoliatori pro in petitorio vel [illegible] vel quod [illegible] non exprimitur si notorium in iudici et citanti idem ut clementia de [illegible] de re iud. ¶ Quarto quod mittat excusatore ¶ Quinto quod si citatus in [illegible] exceptione non [illegible] missus fuit quod [illegible] et si missus expellatur [illegible] quod petit [illegible] ne [illegible] quod non [illegible] pena mitti ff. de re iud. fuit [illegible] verba ¶ Sexto in [illegible] quod [illegible] licet non [illegible] procedi [illegible] quod contendebat de clementina non auditur [illegible] quod [illegible] ¶ si [illegible] fuisset et [illegible] processus ¶ ¶ patet sic ad [illegible] non non [illegible] in iusta in citatorio quod non possit iustificari [illegible] et exquo [illegible] facie apparet in iusta debet in citatorio exprimi cum iustificata ¶ [illegible] quod [illegible] vel quod in [illegible] dies [illegible] non citat clementia determinatur quod non habeat quod debent exprimere [illegible] non [illegible] de citatione ff. et sic collige et fac de re iud. in dicta et c. cum [illegible] ¶ Sed ne credo aliter [illegible] vel [illegible] quod non in [illegible] de citatione ff. et fac et fi. de re iud. [illegible] si iudex non [illegible] tribunal et citat nullo loco expresso ¶ [illegible] quod ubi [illegible] quod si reus [illegible] et actor replicet [illegible] ¶ [illegible]

[illegible] in [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] roma

verbe s͡ v̄ma d̄ p̄mis ⁊ re c. iii a alt nō
ult^m s͡ hoc affirmat ꝓ s͡it q̄ ꝑ q̄ua
anterioru s͡t solutus ⁊ de ap. pr̄i qui
ꝓmaz lib̄o. exprimere q̄ᷓ voluit ad hoc
ar. nō tuabatur s͡t s͡. de vesp̄ s͡uo ē
a. mutuū pmalē dicebat q̄ᷓ qui de
elate nō i mult̄ de test̄i l hedes q̄
pala — Itē q̄ deliberatoria nō
datur s͡t ea e c. p̄xo Itē q̄ dō
ult^m modicū opatur ⁊ id tn̄ eis
cum addicitur ff de ver. s͡ig l q̄ ad
uerbo Itē ꝑ plact ageo deb̄z exprime
q̄ noue ecc̄e ⁊ ad hoc all̄. c. uo
q̄ᷓ pauo ag̃o ꝓ s͡ut ag̃e directum
s͡ nō exprimat qua agat ff de ꝑ.
s͡e l nec nulla ff. s͡equo s͡ienter
hoc agēo n. exprimeo ꝓ s͡ut agē
noue ap̄ls nō ecc̄e. Sed Jo tn̄ hic
q. ꝑ q̄q̄ actore placitū ꝓ s͡ut agē
de bōis ecc̄e ... q̄q̄ ꝑ ut vxar
ꝯ s͡tante matrimō ꝓ s͡ut agē. de bōis
mariti ⁊ de dō̃ mter. vm̄ et vxa
l cū ff. c. t. l quicq̄ ꝑ. de p̄cūs ff
ꝑ de petit̄ her̄ ꝓ eo^m hoc s͡t q̄
de cā exprim̄ nō s͡lati ... s͡ xo
ꝑ̄mict̄ noui̲e ap̄li tūc s͡ic^m uerū
... nō q̄ noue ecc̄e deb̄z fieri
libellus de pba extra de vesp̄
coaciō defēde ꝓ ...
maḡ quert ⁊. capitl̄ agit noue ap̄ls
Jo dn̄ q̄ s͡t de test̄i ꝑ mittan nā mup̄lis
agut noue alteo quert noue
ap̄ricio q̄ᷓ s͡ut. dom̄. .. ii q. vi q̄
videm̄ colliḡ hoc r̄ponit ꝑ pbalē
nō ab. veniat p̄mit̄ dātū ague
tū b bonū s͡ut caul uiꝰ nō.
ꝑ s͡n de posti. s͡. c. doc. ... gore
p̄uto q̄m i pba^le nā quert ō
dno ubi bō. s͡ut coicā et que
tūo dī. ei^m capl̄us ut capitl̄ ꝑ
ustru de hūs q. fi a p̄i. c. quātas
et c. uel. ... s͡i bō s͡ut ...
tn̄ lct quert dicit inchoa cum

s͡p̄ito capite de vesp̄. coacti tūc
ui agit ꝑ p̄mo noue ecc̄e cuiꝰ ꝓ s͡e
q̄ueri ... placit̄ noue ecc̄e cuiꝰ
ē ꝓ s͡ ut capitl̄ — ... s͡ iste de quo
i textu exp̄sset ad ꝓponend dn̄ dare
i duc̄e ad deliberandū An q̄ nō hoc
gl. colliḡ s͡c. In nā cū agitur de
s͡pīrci et asp̄t actum q̄ cessauit
tribz annis ⁊ ult^m dez nꝰ ce eꝰ
de quāto ulti^m cū s͡t s͡cūi ap̄lū ꝑ s͡ea
ro nō ꝑ̄ait cū ubi querꝰ successit
i uis alterꝰ de re uiꝰ qui i uīs
a q̄ Itē s͡cri s͡pōtiuiū nō ꝓ s͡ut q̄d
ꝯ s͡uerare. p̄ s͡t ap̄lum neglectū
tn̄ ꝑ tp̄s neglectū nō s͡t. ꝓ s͡ut s͡ire
cū s͡uarꝰ ꝑ s͡e nō moueat s͡ens͡u
... i ecīmibz dant̄ i ducē
ad deliberandū hoc q̄ nō idē ab.
Idē. ... c. ꝑxio mouetur. q̄ᷓ
i li^te ꝓ s͡ut et aīa ecīa a ꝑerit̄
s͡uꝑ s͡ebus debz scire ruꝑtus ⁊.
q. iii s͡i p̄matēo. hoc eꝰ. q̄m ꝑ s͡u
ma ctꝰ. ⁊ s͡pē. c. t ꝑ. s͡. a. moue
q̄ᷓ s͡i dant̄ i ecīmli nō s͡ortius
a ecīmali ... mag̃ s͡ictū ... do
opīone hoc verissima ꝑ̄mo tīz
mittantur ... de quibus debz
ee eꝰ tn̄ nō mittitur li^tas
factꝰ g^o hēt dilacōz. ut delibet
s͡uꝑ li^tas ii q. vii li^tas Itē ang̃
actio^tum s͡t ꝑ̄us i uidīo et li^tus ob
latꝰ nō recipitur actiō in q. i
absens ⁊. nō Jo ii q. vi li^tas
g^o debitur dilaco ut disc̄uciat̄
ꝑ̄. actio^tons q dn̄ ē. disc̄uciēda
ii q. a. i p̄mis ... di ...
in q. vii s͡ig̃o ... tn̄ tenuit cū
hoc in q. ii s͡i p̄matēo vide s͡i
de actiō i. s͡uꝑ hiis. Inglo
... n vero ꝑ s͡e hoc tenꝰ cū glo
In dī q̄ adulq̄ nō entiatur eo
p̄nē q̄ᷓ dep̄o de s͡ro queri

q̄ qui certus ē certiorari nō debuit
hoc manu q̄ libus dicis certū contra
et hec magis ē contra uni de lib.
ob c. iii pri[illegible] exponitur

pro parte vero vel cita. et absque ii gravamine
actoris proc. vel procuratoris a contra
pars excepto duplici iure fundata et
actoris repulso adeo triginta rationes
hic dicit q̄ citatus fuerat burdigale
et ibi fco li. c. quilibet de mai
ob et c. finale de do et contra presente
mi si ipse litteras erat fueruerat [illegible]
ipse disparitie arte a tem [illegible] fuit
[illegible] dict et frederici de quo . s. de re
iudic ad apostolice libi. Insup nō pr. ut conta
nedū appellatis si est a principibus a [illegible]
auxiliū q̄. hostes [illegible] ii magnus
et c. ab imperatoribus a si nō probabit
pr eos [illegible] leg. prelatus nō debebat
pugnare cū q. occasi pr alios in
bona et multis defendendo. [illegible] i hoc
nō fuiss exceptū nō erat sufficiens procura
torum de penis adeo a c. g. statuit
absolute q. inspa et nota cū cū
ecclia vel publice comparere [illegible]
de [illegible] c. si venire arbitr de
resp. ceterum dilatoria ut compareat
nō ut videat [illegible] q. iii ipso
prelatos publico sū d. subpedito ste.
[illegible] [illegible] [illegible]
pria de [illegible] c. fi. [illegible] q. aco [illegible]
ut r. q. aco [illegible] [illegible] oppone q.
di. q. nō debuit citari burdigale
q. nō citatur ubi quorum inter est de
[illegible] cū inter [illegible] quidē nō interuerat
[illegible] [illegible] [illegible] d. c. [illegible] q. [illegible]
[illegible] ne publici [illegible] q. [illegible]
interest publicos [illegible] [illegible]
a dicit ut [illegible] quaqua [illegible]
[illegible] cognitio. [illegible] ii [illegible] [illegible]
est interesse q. hac [illegible] debebit
a [illegible] si aliter nō [illegible] q. ē
[illegible] [illegible] [illegible] q. [illegible] [illegible]

appellavit de [illegible] de app. c. [illegible] a. vi
[illegible] bū interuerat [illegible] [illegible]
[illegible] ne [illegible] excepto [illegible] sit [illegible]
a ne [illegible] [illegible] excepto [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible]
[illegible] [illegible] [illegible] requiretur [illegible]
[illegible] [illegible] [illegible] de [illegible] ob
c. fi. s. hoc [illegible] oppone de c. ceterum
[illegible] dr q. si impetratur [illegible]
[illegible] [illegible] et s. ē [illegible] [illegible]
[illegible] [illegible] [illegible]
ceterum. [illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] s. [illegible] [illegible] q. nō
erat [illegible] [illegible] [illegible] [illegible]
iudiciali [illegible] de iure et [illegible] [illegible]
l. i. [illegible] l. [illegible] [illegible] ff.
de penis [illegible] oppo [illegible] [illegible]
fuit [illegible] uel [illegible] tur [illegible]
q. ī alternatiuis [illegible] ē de
debentis [illegible] altero actu [illegible]
tur ad [illegible] ff de [illegible] [illegible] debiti
l. cū quis ff de solu. l. [illegible] [illegible]
[illegible] ab [illegible] [illegible] [illegible] form
[illegible] [illegible] [illegible] [illegible]
[illegible] dicebat hoc q. ī [illegible]
[illegible] nō [illegible] quis [illegible]
[illegible] de penis [illegible] [illegible]
fuit [illegible] occupatus [illegible] [illegible]
[illegible] q. nō [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] de [illegible]
[illegible] ī [illegible] tractatus [illegible] nō
potuit deliberare q. [illegible] nō
[illegible] uel fuit [illegible]
hoc [illegible] [illegible] q. ī [illegible] sub
[illegible] et [illegible] q. nō fuit [illegible]
[illegible] [illegible] [illegible] [illegible]
q. [illegible] debuit [illegible] q. [illegible]
quo [illegible] [illegible] [illegible] l. i. ff
de feriis [illegible] [illegible] [illegible]
[illegible] dr q. [illegible] erat [illegible]
[illegible] [illegible] [illegible] [illegible]

iure q hic ualuit [illegible]
n. ab q [illegible] dimisit cui po
tuit nego[illegible] [illegible] de do cu [illegible]
q [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible]
tibi cu [illegible] [illegible] [illegible]
ad [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
berare no [illegible] [illegible] cu [illegible]
[illegible] [illegible] [illegible] et [illegible]
cu [illegible] no fuit coactus [illegible]
fuit q nego[illegible] [illegible] fuit
ad eo [illegible] q [illegible] [illegible]
[illegible] no [illegible] de [illegible]
[illegible] [illegible] [illegible] [illegible]
no [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] aut [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] no
[illegible] [illegible] [illegible] [illegible]
no [illegible] ad termi[illegible] et
[illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible]
[illegible] dare [illegible] [illegible]
[illegible] appellans [illegible] [illegible]
[illegible] [illegible] in foro [illegible] ff. [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible]
deliberatio cu [illegible] de [illegible] q
[illegible] no [illegible] [illegible] curia [illegible]
[illegible] [illegible] [illegible] ad [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] ff. [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] cu [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
ad [illegible] [illegible] [illegible] [illegible]
[illegible] no [illegible] [illegible]
[illegible] [illegible] et [illegible] cu militibus et
[illegible] [illegible] [illegible] militari et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
et milites ad [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] ad
[illegible] [illegible] [illegible] cu militibus
[illegible] [illegible] [illegible]
dilationes [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] cu hec dilatio
[illegible] [illegible] remedia et [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] ad [illegible] dilationa
[illegible] reus [illegible] [illegible] et petit
dilatio dari ad [illegible]
[illegible] [illegible] [illegible] dari [illegible]
q [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] de [illegible]
[illegible] prudentia [illegible] [illegible]
ad [illegible] q ibi [illegible] [illegible]
[illegible] [illegible] [illegible] de [illegible]
[illegible] et [illegible] [illegible]
[illegible] [illegible] et [illegible]
[illegible] oblato [illegible] dilationes
[illegible] misses uel alia [illegible] et [illegible]
[illegible] dies ad [illegible] [illegible]
[illegible] [illegible] termino parte [illegible]
[illegible] [illegible] q [illegible] de [illegible]
et hoc [illegible] [illegible] et [illegible]
[illegible] ff. [illegible] [illegible]
et [illegible] de [illegible] hoc [illegible] recepit
[illegible] ad deliberandu [illegible] ad [illegible]
et [illegible] [illegible] [illegible] no [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] vi [illegible] no
nisi [illegible] [illegible] ibi [illegible]
[illegible] [illegible] [illegible]

de Gof. in summa de feriis et fe. Gofr
Dacultet. archi. q. C. fo. mo. i. de c
r. et collet. Gof. / tum q. [illegible] ubi ego
[illegible] de delegato tit. [illegible] q. ordinaria
et fauo. [illegible] Jo. de Gevior p. uera
ubi alegatur. ¶ Singulos om. [illegible] exponunt
quidam ut [illegible] salvis excep. [illegible] r. si salvat
exceptiones [illegible] q. non sit recipiende
de iure tit. [illegible] non procedit [illegible] q.
sit recipiende de iure sit. Gof. dicebat
q. [illegible] pertinaco non de iure de ap
[illegible] Gof dicebat q. illa [illegible] non [illegible]
[illegible] i. [illegible] Gof. et dicebat
mandatum [illegible] suffi[illegible] / q. [illegible]
Gof. tene[illegible] spetu. i. [illegible]. de [illegible]
[illegible] in fi. [illegible] [illegible]
ob [illegible] Gof. q. [illegible] mandatum non [illegible]
fuit commissum [illegible] [illegible]
q. sicud mandatum datum cum sigillo [illegible]
certum actum deputatum non [illegible] ad aliud
[illegible] non [illegible] procuratorium non [illegible]
[illegible] [illegible] quo ad illa articula [illegible]
[illegible] dic q. si datur procur
[illegible] procur. [illegible] spondet excep
et [illegible] q. procur. [illegible] except
[illegible] sibi [illegible] [illegible] [illegible]
[illegible] de feriis [illegible]

[illegible] de [illegible] q. [illegible]
[illegible] [illegible] de [illegible] datis
[illegible] de feriis [illegible] q. [illegible]
[illegible] de [illegible] de feriis
[illegible] q. [illegible] [illegible]

[illegible] dies. [illegible] diebus dominicis mercari
[illegible] iudicari vel iurari non debet
[illegible] dominicas [illegible] dies [illegible] dies
dominicas [illegible] ei attribuimus q. in ipsa die opera
[illegible] fiat. [illegible] q. die lucere
[illegible] mercatum q. difficile [illegible]
exercetur [illegible] de [illegible] cum curtus
[illegible] [illegible] [illegible] [illegible]
[illegible] dic q. [illegible] possit fieri. non [illegible]
[illegible] q. [illegible] obseruatur in aliquibus
[illegible] [illegible] [illegible] in [illegible]

alias [illegible] gl[illegible] q. ¶
¶ Gof. tractat [illegible] [illegible] dies [illegible]
[illegible] apostoli et quo singuli dies [illegible] [illegible]
et decretis [illegible] plenitatem [illegible] apostolo
[illegible] ¶ sit ne quis
die [illegible] balneum uel [illegible]
de capillos uel [illegible] dic q.
[illegible] necessitatis [illegible] non [illegible] voluptatis
de [illegible] de [illegible] sufficit
abstinere ab opere [illegible] audiat
diuina [illegible] et [illegible]
di[illegible] missas et [illegible] die [illegible]
[illegible] missam de [illegible]
[illegible] ¶ sit ne quis [illegible] in
festis et [illegible] dic q.
si [illegible] non
[illegible] in [illegible]
[illegible] ¶ sit in diebus
dominicis ieiunari. [illegible] q.
[illegible] qui [illegible] non fiat in
[illegible] dei [illegible] deuotos
[illegible] ubi legitur
q. [illegible] apostolus [illegible] diebus ieiunabat
q° ¶ [illegible] diebus dominicis [illegible]
et paganus [illegible] possimus
[illegible] dic q. [illegible]
[illegible] diebus [illegible] diebus
ne [illegible] de [illegible]
[illegible] agerent
[illegible] festa celebraret sicud
[illegible] de [illegible]
[illegible] et [illegible]
q° ¶ [illegible] diebus [illegible]
[illegible] [illegible]

[illegible] Capitulo. festorum principium et finis
fieri debet [illegible] magnorum [illegible]
[illegible] ¶ In principio festos [illegible]
pascha et [illegible]. non fit [illegible]
[illegible] ¶ [illegible] tradunt et
[illegible] principium [illegible]
[illegible] finis. [illegible] festo [illegible]
[illegible] terminum ista
[illegible] festa [illegible]
[illegible] dies festos [illegible]
festum [illegible] [illegible]

[illegible] [illegible] [illegible]
[illegible]
[illegible]

solepnius vel expresse tamen licet bene
non bene stat quod flectente episcopo
omnes flectere debent alias ... tamen
¶ Item de ingro
qui non ... credat colere nisi ...
proxima die que est ...
no. de ... ... et de ingro
supra rubrica ¶ ... cum ... in
tendi ... celebrari certis festi
vitatibus ... recessum a ...
tinis officiis ... non ...
in c. ... de pen ... in vi ...
non ... et ... et ... ubi
tenet ... ut plus
est quod ... de festo ut in
c. ... de ... et bene ...
¶ ... in ... dicit ut no.
in c. ... de reliquiis ...
... quo ad divinum officium
celebrandum ... quo ad ...
¶ ... in ... dicit ut no. in
c. ... de ... in vi ...

... die festivo exercetur
... natalicia celebratur
dies martirio natalicia
quia die martirii ... renati
in ... gen ...
... servilibus operibus
... quibus diebus ... feriis
in ... de statu regularium ... ad
... in ... super ...
... diebus festivis
non est ... ab opere ...
... in ... pupillorum
et miserabilium ... opera
... voluntarie ... adop
tare et emancipare ... in actibus
... perituris ... de furto
... ad correctionem
... de ... non agitur
... item de causis ...
... item ... ad
... [illegible]
... [illegible]

ad ... [illegible]

... in ... ubi ...
... festivitatis ... festo ...
... et ... xi et tres ...
... et ... xxiii ...
... xxi
et ... tres ... celebrari
... solepniter vel celebriter ...
... de tractu ...
... in albis ad diem ...
... aliqui ...
... die prima ... ...
... feriata in quibus
solepniter non celebratur ...
a prima ... ab adventu ... ad
octavam epiphanie in ... tamen ...
... festum et ...
ad octavam pasce in ... de
... in albis et a prima
die ... ad ... dies
post pentecosten in ... ...

... diebus feriatis ... ...
dei et ... quiescere debent ...
... feriatis ... nec ...
... debet nisi ...
... tacite vel expresse aliter
... de ...
... ubi ... dec. ...
... feriati ... explicat
dies feriatos ... dicit aliqui
que non includuntur ...
... debet ... no. alibi
... aliqui quod ...
... stas que ... bona
de reliquiis et bene ...
... bene ... vel ...
... celebrari ...
... dictum ... dei et
... non ... prima
... tamen.
¶ ... festivitates celebrandas ...
... in ... ...

[illegible] de [illegible] c. ad supplicationem
tanquam citatus fiat die dominico ut compareat
die iuridica [illegible] apparet quod non per hoc
c. et per contrarium s. e. ti. dies festos
confirmavit vir iudicis mandatum c. q.
interlocutoria ff. de feriis q. ad ea [illegible]
fugere l. quinti. et de eius et. etiam
l. cum alias. [Item] [illegible]. lata etiam
die non tenet ut hic. Item proderit
debet primum de esse dubium q. Ingenuum
hic quod exequitur ad diem non feriatam
ff. de re iud. interlocutorii et [illegible] l. si [illegible]
[illegible] q. si et l. perpetui [illegible]
mutatus ff. de anni [illegible] tenuit
quod non tenetur attento primo de quo
nota de esse dubium ff. de mi[noribus] l. an
[Item] citatus est per iudicii de qua quam
indicebat. lege si maior ff. de feriis
exemplum [illegible] legendo minuit et
tenuit quem [illegible] alleganda. Et
firmatur dictum [illegible] ad quos
[illegible] ff. si certum petatur l. [illegible] [Item] non
refert quo loco fiat dummodo [illegible]
ad locum contrarium ut l. cum alias [illegible]
si vero ff. de off. [illegible] l.
si. [illegible] actus expediri in loco
habili [illegible] locum habilem
ad quem [illegible] citatus [illegible] tres actus
s. interlocutoria de citando executionem
initium et processum faciendum primus actus
non requirit cause cognitionem [illegible] ex
pediri die feriata [illegible] l. actus
[Item] eos actus eadem [illegible] potest expediri
die feriata ff. de adult. l. miles
[illegible] sexaginta [illegible] actus processus
non potest fieri die feriata [illegible]
tu et citatio fieri potest die feriata
[illegible] de cita [illegible]
citatus et [illegible]
de fo [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible]

facta die non feriata ad diem feriatam
[illegible] quod non. [illegible] ad quos in
contrarium ut hic et l. dies [illegible]
[illegible] et l. si [illegible] ff. de re iud. [illegible]
[illegible] et [illegible] Alii [illegible] ut [illegible]
[illegible] in [illegible] die et si non potest
illa die comparere compareat [illegible]
ut [illegible] de [illegible] [illegible] de [illegible]
[illegible] quod [illegible] citatus [illegible] die
et [illegible] ut [illegible] cum [illegible] de
[illegible] et [illegible] [illegible] Alii dicunt quod
[illegible] de [illegible] [illegible] l. [illegible]
Alii dicunt quod si [illegible] dies
feriata non [illegible] ut [illegible]
comparere quam die non [illegible]
tenetur illa die comparere si potest [illegible]
[illegible] [illegible] Alii dicunt quod
si citetur ut compareat processurus
die feriata non [illegible]
[illegible] si [illegible]. In [illegible]
teneat [illegible] dies [illegible]
[illegible] [illegible] quod [illegible] ad
diem [illegible] ad comparendum et illa die
comparendum [illegible] non potest [illegible] ad
[illegible] comparere ad alteram diem
ut [illegible] de dolo [illegible] in
[illegible] [illegible] de [illegible]
cum [illegible] de [illegible] [illegible]
[illegible] dies feriati [illegible]
[illegible] dies festos [illegible]
In [illegible] citatus [illegible] die non [illegible]
et [illegible] tenuit [illegible] de [illegible]
qui fuit [illegible] de [illegible]
[illegible] [illegible] [illegible] de [illegible]
et tenetis [illegible] [illegible]
[illegible] de [illegible]
[illegible] de [illegible]
[illegible] de [illegible] [illegible] de
[illegible] [illegible] actus in
citatione [illegible] interlocutorio [illegible]
[illegible] de citando [illegible]
initii et processus [illegible] duo

quod competit defensio quia primum quod primum non requirit esse cognitum cum sit actor absens. ff. fecit mise- rius impersonaliter. 3m feriatis diebus fieri non potest ut habetur. Unde de eo tenuit quod si prolatio verborum incepit fiat die feriata totum vitiatur quod exstitit pro citatione actus. Verum si incepta in tertia et die non feriata et mixtis proferat verba die feriata totum valet. Secus si proferat die non feriata ff. valebit quod cautus mag(is) actus. Et quod prolatio verborum in actu de ipso quod i. collatione inii. Confirmat quod dicit tempus quod mediis diebus preda potest fieri secus autem preda non potest debet facere. C. Simili pro dum non potest debe- re mutuare alteri ff. de aqua pluvie ar- cende l. i. circa principium ff. de finium regundorum l. si quis et consti- tutio ... tenuit quod non videtur ... ff. de ... l. ii in fine ff. si quis in ius vocatus. Contra opinionem tenuit ... de ... ut si citetur quis ut compareat usque ad certum diem quibus si die potest comparere. Secus si ut compareat tali die quod tunc illa die ... Sed die feriata non potest quod non tenetur. Adverti ad hoc bene ... contra ... comparuit tali die et ... si ... compareat tali die et postea si fuit feriata comparens non feriata ... potentis non recedendo ab- ... Ipsa Innocentius ... quod tempus colligeretur quod non refert quo tempore vel loco fiat actus ... vel ... ad locum vel tempus ... quod ... actus tempus ... ad tempus ... res ... si tempus habilis ... ... si non exprimatur dies feriata ... si non exprimatur ... ad non feriatam et sic ...

... opiniones rigor ... quod habetur verum. Duos ... in ... oblationes que fiunt die- bus ... debentur abbati et que in ... debetur sancti pauli et ille qui fuit in die sancti pauli debent episcopo accidit festa sancti pauli venire die dominica cum debe- ... abbate quod ... debet dies mala non accidentaliter ... ¶ ... quod specialis derogat generali ... quod ... oblationes ... que fieri ... die dominica et ... sancti pauli debebuntur abbati. Ille vero qui ... episcopo. Et ... ¶ ... quod ... sancti ... die quod fit ... vel est episcopus ... ¶ ... qui ... anglicana fuit ... in ... anglicana ... relata fuit de ... in ... reus comparuit et in ... actor non comparuit et ad instantiam rei fuit ... in expensis actori ... comparuit ... et ... se ... allegans feriatis ... et ... ferie ... ¶ ... quod deberet ... ferie ... ... tur quod ... quod non tenebatur comparere tempore feriarum quia erat in ... ff. de ... non ... et ... non ... est adversarium ... remittit ... ff. si quis in ius vocatus l. ii. Item quod in favorem ... quod ... ferie ... ff. e. ... l. v. Ille ... de legibus l. quod favore. Item si ... actor ... astrictus ... rustica ... legis. Dicit ... Item fecit ... Item ... quod iudices non ... ad ferias ... ... rustica ... ferie ...

[illegible] [illegible] die festo [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

ut quo absoluatur quia pro quo [illegible] quo [illegible] cum [illegible] opera [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non fuit [illegible] [illegible] in toto ex causa. Sed [illegible] in duabus [illegible] [illegible] [illegible] ad [illegible] ad collectionem victualium [illegible] forte in aliquibus locis et aliis [illegible] [illegible] lex potuit [illegible] [illegible] [illegible] [illegible] capud [illegible] ff. de fe. l. iii et l. sequenti et [illegible] [illegible] [illegible] tempus et [illegible] ferias [illegible] principes [illegible] arbitrari [illegible] feriarum et legibus [illegible] [illegible] [illegible] [illegible] augendo vel minuendo [illegible] [illegible] [illegible] quod ferie dantur ob [illegible] hominum et [illegible] [illegible] [illegible] quod [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ferie [illegible] [illegible] [illegible] [illegible] non [illegible] in ferie [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] quod iudex die feriata [illegible] [illegible] absoluit [illegible]

ut [illegible] non [illegible] [illegible] [illegible] [illegible] tenuit [illegible] de [illegible] in quibus [illegible] [illegible] [illegible] [illegible] actus [illegible] actus [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] actus [illegible] non [illegible] [illegible] [illegible] [illegible] hoc [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

In processibus [illegible] attendatur [illegible]

[illegible] Iudex [illegible] [illegible] [illegible] [illegible] exceptionem [illegible] exceptio [illegible] [illegible] [illegible] [illegible] [illegible] exceptio [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] de excep. [illegible] [illegible] ff. de excep. [illegible] [illegible] [illegible] exceptio [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] exceptiones de excep. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ff. de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

de compensatione. et l. [illegible] precedente C. de
dilationibus. Concludit ergo quod reconventio permittitur
[illegible] in duobus casibus primus ubi index
esset minor magistratus quia quo ad non
posset. [illegible] est in publico [illegible]
suo favore non permittitur. Baldus [illegible]
tamen quando [illegible] contra opinionem [illegible] [illegible]
[illegible] quod [illegible] distinctione non potest permittitur. ut
l. i. C. de ordine iudiciorum. C. de
ordine cognitionum l. ii. et ita [illegible]
[illegible] in glossa in l. de qua re ff. de
iudiciis. Aliter [illegible] quod distinxit
[illegible] in [illegible] civilis civili [illegible] cri-
minali [illegible] criminalis civili
[illegible] civilis criminali primo casu non
permittitur. Aliis tribus casibus
[illegible] glossa C. de or-
dine cognitionum l. i. in prima glossa [illegible]
[illegible] in prima [illegible] quod [illegible]
[illegible] non permittitur [illegible] civiliter
[illegible] criminali [illegible] [illegible]
[illegible] et [illegible]. [illegible]
et l. i. C. si publice ff. de adulteriis
et l. quando. ante Alexandrum C.
[illegible] Jo. distinxit inter [illegible]
[illegible] et emergentes dicens quod super
emergentibus permittitur super [illegible]
[illegible] non [illegible] quod [illegible] dicitur
emergens et quod [illegible] [illegible] excluditur
[illegible] glossa [illegible] respondit. In glossa
in verbo incidens dicit quod aliqui quod
[illegible] quod [illegible] [illegible] [illegible]
[illegible] [illegible] emergens [illegible]
non [illegible] hoc non [illegible] quia [illegible]
[illegible] quod [illegible] de [illegible] petendo [illegible]
[illegible] est [illegible] emergente [illegible]
[illegible] ut si [illegible] de
[illegible] [illegible] quod [illegible] [illegible]
[illegible] quod emergens [illegible]
[illegible] ut emergens et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] permittit

[illegible] [illegible] [illegible] non [illegible] [illegible] [illegible]
[illegible] emergens et processu impediens
ad [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] Dicit aliqui quod Jo. [illegible] [illegible]
de emergentibus [illegible] de incidentibus
[illegible] an sit [illegible] [illegible] et [illegible]
non [illegible] permittitur super ea [illegible] dilatoria
et [illegible] [illegible] [illegible] [illegible] pacto de non
petendo ad [illegible] Alii dicunt quod emergentes
sunt dilatorie incidentes [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] incidentes [illegible] [illegible] [illegible]
emergentes [illegible] processu super [illegible] non
permittitur [illegible] [illegible] [illegible] [illegible] [illegible]
aliqui quod [illegible] est in [illegible] incidenti [illegible]
si [illegible] [illegible] [illegible] [illegible] de [illegible]
dilatoria [illegible] usque ad [illegible] [illegible]
absolvit [illegible] si non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] implicat aliud an [illegible]
sit dilatoria quod tractabitur. Ubi [illegible]
[illegible] de [illegible] [illegible] Concludi-
tur [illegible] [illegible] quod [illegible] emergentes et
quod incidentes [illegible] [illegible] ad
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
sit permittendum super incidenti [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible] [illegible] ad [illegible]
[illegible] [illegible] ff. si [illegible] [illegible] l.
[illegible] [illegible] [illegible] [illegible] [illegible] an
[illegible] [illegible] de quo dicam de re iudicata
[illegible] [illegible] an [illegible] sit permittenda super
[illegible] incidenti quod super [illegible] [illegible] quod dicit
aliqui quod si plene cognitum est de
aliquo incidenti [illegible] permittitur super
eo incidenti [illegible] est ac si principaliter
permitteretur [illegible]. Ubi plene non
fuisset cognitum [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
quod ubi [illegible] impugnat [illegible] [illegible]
in [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] in [illegible] [illegible] [illegible] [illegible]
permittitur super incidenti quod super [illegible] [illegible]
de [illegible] l. [illegible] si [illegible] [illegible] si [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] si partium [illegible]

ut. l. pen. aut. ff. q. si quis caution. ff. de nego.
gestis. ¶ Aut non in s(er)git idem effectus
et tunc non est idem c(om)pulsio(n)e sup(er) p(rinci)pali et
in eadem instantia. dic. exemplum. certe ego quod te
spoliasti me si denegata fuit restitutio
in p(rin)cipali non agam. Ex quo si ago quod
non ... me et ego excipio quod te de spoliatione liceat
... incidenter agere petitio possum de alia
spoliatione ... non ... ff. ...
pro. ... aliud exemplum. certe ... ...
de iiii. agis quod me ... ... ego
excipio quod teneris de emptione. ¶ Judex
pronunciauit te non teneri de emptione. petita ...
agere ... de ... ff. de ...
agit ... ... aut non est
... ... de ... ... et tunc
plene cognitum de incidenti et tunc ...
facta super p(rinci)pali non ob. petita agere ...
de ... ff. de quo ... uel alio
de ... ff. de ... ... l. ...
... l. ... ff. de ... l. ...
... liberis ... ... partes ... et est ... ...
sumaria cognitio non preiudicat plenarie
... ff. de ... et pupil. l. ...
... ff. de ... l. ... et ... ...
... de ... ... et ... . est
... de ... ... et tunc ...
plene cognitum de incidenti et tunc ...
sup(er) p(rinci)pali non pot ... ... sup(er)
incidenti et tunc ... ... p(rinci)pali preiudicat
... incidenti ut si peto hereditatem ... ut
filius ... excipio quod sit ... ¶ Judex quod
... ... certe ... non
... ...
ad ... ... liber-
... ... possum esse heres ... liber
... c. l. ... ... sup(er) p(rinci)pali
... ...
super incidenti et tunc ... aut est ...
sup(er) p(rinci)pali ... ... incidentis
sup(er) p(rinci)pali ... non preiudicat ut l.
et ... et tunc non preiudicat ut l.
... ... ff. ...
ff. de nego. gestis. l. pen. aut. ¶ In
... de ... ...
... ... non ... ...
plene cognitum ... non ... ...
in ... ... p(rinci)pali ... non ... preiudicet
... ... de testi
... de ... ... sup(er) ... ...

... ...
...

in primo membro ... ... l.
si iudex ... ff. de ... ...
... uel alii ... ... p(rinci)pali
... ... et ... ... incidenti
non preiudicat ... plene ... cognitum
... aut non ... ... et ...
... incidenti tunc ... ... et
... ... incidentiis
... et tunc ... ... aut ...
... ... et ... et tunc ...
ob ... plus ... ...
¶ ... ... iudex
... ... sup(er) exceptione ...
... et petita sup(er) negotio principali
... ... l. ... ... de con-
... ... sup(er) incidenti
... ...
... ... non curat ... ...
... et ... ... male ...
... ... et ... ...
... de emergenti et connexi ...
... exceptio ... spoliationis ...
dilatoria ut ... ...
... et ... ... de ... ...
... emergens ... ...
... ... incidens ... ...
... ... sup(er) incidenti
¶ Concludo ... ... si exceptiones ...
... ...
... ... ut ... ...
et ... l. ... ¶ ...
alie ... ... et ...
... ... de ... ...
... ... alie ... ...
... et tunc si ... ...
... ... sup(er) illis
... ... si ... ...
... et ... ...
de quibus de ... ... libri
¶ Restat ... ...
placeat ... l. ... ...
... ... sup(er) emergenti
... l. ... ... aliqui
... ...

[illegible] plene [illegible]
[illegible]

si non debuit vel dic quod ubi fuit
principaliter super exceptione vel lite [illegible] maior
peteretur se restitui et dicebat se
minorem et lesum / non fuit ergo super
incidenti in modo super principali et fuit
[illegible] vel [illegible] de ar fuit
principaliter super illo incidenti quod impedit
processum et inceptum iudicium [illegible]
quod impedit modum agendi [illegible] hoc
illa duas [illegible] quo non erit
[illegible] ut ibi [illegible] l. [illegible] de
quod medius retardat processum et
si [illegible] emergentes ut exceptio
nisi [illegible] ubi super [illegible] principaliter
vel super replicatione [illegible] vel agi-
tatur principaliter de prevaricatione ut
ubi ff de [illegible] l. eleganter et
ii [illegible] de [illegible] C. liberis ibi
incidens retardabit processum vel
de [illegible] aliter dicebat si principaliter
super impedientibus processum si non
[illegible] l. [illegible] negotio
principali et principaliter [illegible] non [illegible]
[illegible] agentes ut [illegible] restitui
[illegible] quod [illegible] quia [illegible]
[illegible] super [illegible] probat
se minorem iudex pronuntiabit
[illegible] minorem vel [illegible] in
modum [illegible] [illegible]
[illegible] ff de [illegible]
[illegible] incorporali [illegible]
[illegible] principaliter super illa quia [illegible] emergentes
[illegible] principali [illegible] si [illegible]
[illegible] aliquis [illegible] de [illegible]
[illegible] de [illegible]
[illegible] super
illo principaliter [illegible] ut [illegible]
[illegible] de [illegible]
[illegible] principali [illegible] exceptio inducit
[illegible] principaliter
[illegible]
[illegible]
[illegible]

[illegible] pure super exceptione dic quod si
non plene cognitum non [illegible] esse
petiit filius alimenta iudex [illegible]
[illegible] filius [illegible] ista [illegible] certe non [illegible]
[illegible] alimentarie [illegible] filiacionis
Sed si sit plene cognitum tunc dic [illegible]
illo incidens [illegible] quo negotium principale terminatur
[illegible] non sit et tunc [illegible] ut [illegible]
[illegible] ubi sit principaliter
ut si peto [illegible] tu [illegible] tunc
non [illegible] quia [illegible] quod [illegible]
[illegible] ad illa quod [illegible]
[illegible] iudex exceptionem
ff de [illegible] l. [illegible] ~~[illegible]~~

[illegible] Sed [illegible] actione spoliationis [illegible]
aut [illegible] et tunc [illegible] auditur et
[illegible] non [illegible] Sed [illegible]
non restituetur [illegible] et tunc [illegible]
[illegible] terminatur et [illegible]
restituetur [illegible] et [illegible]
[illegible] interlocutoria ubi
[illegible] prima [illegible]
[illegible] actionis [illegible] ubi [illegible]
[illegible] exceptionis [illegible] ubi [illegible] actionis
replicationis [illegible] principalis [illegible]
et [illegible] interloquitur [illegible]
[illegible] ubi [illegible] ubi [illegible]
[illegible] ubi [illegible] declarat interlocutoria
[illegible] quemadmodum
[illegible] ubi testes [illegible]
[illegible] et [illegible]
[illegible] duci [illegible]
[illegible] spoliationem [illegible]
in antiqua dicebatur [illegible]
et [illegible] occupatis [illegible]
[illegible] vel [illegible] non
intendebat [illegible] illa verba [illegible]
[illegible] de [illegible]
[illegible] inquietare vel [illegible]
et [illegible] exceptionis
[illegible]
de [illegible]
[illegible]

presens

... uel nobiles negabant quod castrum
erat feudale uel. fatebantur monasterium
proprietarium et se usufructuarios et
spoliatos illo usufructu [illegible]
hac uero si pro causa dolo ad eum uenerunt
[illegible] quidam auditores quod aduersarii re
tulerunt pro se distinguendo ex parte
quod certum erat quod in medium excipientes
assumerunt [illegible] ab eis absolutus
apparuit coram ordinario uel delegato quod
[illegible] arbitrio non fit requirendo. de de
cem diebus [illegible] admitti [illegible]
coram [illegible] nobilium exceptione spoliationis
abbatis quod petierit abbas in [illegible]
sine [illegible] quod petierunt nobiles
restitui [illegible] per duo excipia
et si [illegible] restitutio [illegible]
[illegible] abbatis repelleretur [illegible]
[illegible]
[illegible] Nota quod pluries agit
[illegible] de [illegible]
de [illegible] quod [illegible] admitti
[illegible] exceptionis spoliationis
[illegible]
quod [illegible]
[illegible] dolo.
[illegible]
[illegible]
[illegible]
alegat. ¶ Reducendo [illegible]
[illegible] ¶ Et [illegible] ab
[illegible] quod nobiles [illegible]
[illegible]
quod [illegible] ¶
[illegible] nobiles [illegible]
[illegible] ¶ [illegible] de
[illegible]
[illegible]
[illegible] ¶ [illegible]
[illegible]
et [illegible]
et [illegible]
[illegible]

dicit [illegible] exceptionem [illegible]
nobilium uel fuerunt [illegible]
[illegible] quas [illegible] qui [illegible] de
[illegible] certum
[illegible] ut [illegible] ut.
[illegible] de [illegible] illa domus
quod non [illegible] erat [illegible]
sufficiebat [illegible] quod [illegible]
appellationem ut [illegible]
quod [illegible] non [illegible]
qui [illegible] [illegible]
ut [illegible] quod [illegible] debet eximi [illegible]
[illegible] ¶ [illegible] et [illegible]
[illegible] debet quod certum [illegible] de
[illegible] non [illegible]
quod [illegible] et [illegible] alias dicit aliqui
quod [illegible] alia [illegible] ut [illegible]
non [illegible] erat
et [illegible]
[illegible] petendo [illegible]
castri petiit [illegible] quod non petebat hoc
[illegible] quod non petebat [illegible]
abbas restitutionem [illegible]
[illegible]
[illegible]
[illegible] ¶ [illegible] non
[illegible] debet [illegible]
non [illegible]
[illegible] et [illegible]
[illegible]
[illegible] ¶ [illegible]
[illegible] non quod
[illegible] quod [illegible]
[illegible] non [illegible]
[illegible]
[illegible] dicit [illegible]
¶ [illegible] quod abbas [illegible]
[illegible] castri [illegible]
[illegible]
[illegible]
[illegible] et non
[illegible] ¶
[illegible] et non [illegible]
[illegible]

capitis bellantium cat' ciuit' i mine
s. capitis ciuit' libera ff. de i iuri
h. ptes. Hoc si ciuit' sui totum re
pudiaui scilicet suis familie, pisto
delicto eo sentia habebat pri... dd
ff. ad l. aquiliam l. illud / michilom
tis ab parte age. q spoliantes
¶ Oppo. b. abbas petebat sibi instr
a exhiberi et tn p pt narratis
competunt dupl' actiones s interdictum
et acto legis aquilie et dampni
dat dati et p hos vare ... solutur
So. d. In. q tres habes non debent
admitti s nobiles fil'ut fatui qr non
exceperunt ¶ Item h... oppo. s hoc
no patit fieri certa pena exquo habes
i meretus So. d. In. q p ... br
s illam aliq actionis s q bell'. min
pe in ponenda ut ... precedat
a penalib; de pen di. i. c. pene
ff de petis. b. s interpretatio. vel
attenditur q principaliter abbas
fuit operatus vel dic q hic no
reperitur. apparz ... lib' admissi
... i prissi ... ¶ Oppoc bn
qr videtur q ... spoliatus ...
primo requirens ... debeat primo
tractari et agens repelli donec resti
tuatur spoliatus. l de resti spo. exq
ipse ¶ So. s commune opinionem ista decis
fuit ... palam vbi opat' ... spoliato
sta de ... ri et tunc precedit q...
qr prius fiet restitutio q agens ...
... ut no ... i. c. s. ¶ Item si
apponitur spoliato altera ... cuius ...
c. tunc qr ab no agebat ...
s ... alias ... ¶ So. no ... bn
... agebant ... ... spoliatum
... dum ... petitiones minime
s ... hic ... ...
i c. ... ¶ Opp. po. c. ...
... de alteram ... et
... ff. de ... l. ...

So. dum aliqui q si prius ... pt deque
rere ... illa ... dum ...
h... q deferet ut ...
qr num ... terminetur
et ... de ... c. ... q
no admittere requiro de ...
ad illam ... requirunt ¶ Oppo. ...
qr videtur q excipiens de spoliatione resti
tuatur ii q. ii c. i. So. ... no. illud
procedit in ... excipitur de spoliatione
q. agere criminaliter hoc ... excipitur q
agere civiliter. vel in spe q. i. ...
... et ... et ...
mone. ... qr ... criminales ...
... et ...
... in ... ... no ...
... qr effectus exceptiones ...
actiones ff de excep. l. i. et ii. c.
no ... de excep ... ... iste
...
... ¶ ... excep ...
... allegatus ... testis
no agit ... no pt ... exceptio
So. d. In q excep ... repellit ...
abagendo ... ab officio ... ut
... petat confirmari ...
de crimine de actu ... et ...
... c. i. et c. ut ... ¶
Oppoc ... c. de ... prohiben ...
... ut dixi in textu qr ...
... no qr ... ¶
... c. ... ut
... in textu ¶ Modo ...
ad ques ... glo ... doctores
Et ...
q hic datur de excep. spoliationis ...
q agere quo ad hoc ... d. In q
... interdictum ...
criminalis c. ... de
... et ... possessionem
ad possessionem recuperandam ...
... acto ... vel acto de
dolo ¶ ... qr hoc ... causis
... spoliati ... q i. i. ...
et l. si ... ff ...
... qr spoliatus ... In ...

x.
exp.

la² quar ...

q competit exceptio spolii se restringit ad
hanc differentiam possessorium cui competit
et non spoliato ut bonifacius ait causa
redintegranda iii q. i. restringas quod
dictum sit primo ad spoliatorem hec .ii. ex
ceptio ad effectum dicitur quod violentum de
eo quod ad ipsum pertinet vel de eo quod non pertinet
ad damnum passus dicas de interdicto ff de
vi et vi ar. l. i. § .ii. hec ergo exceptio
debet excipienti quia agit contra . de ff dexo
quod causa mea . l. si non ff. ff de i of
testa . l. papinianus § si quis impubes
quod de autem spoliatoris non competit
hec exceptio nisi de eo quod ad ipsum pertinet
de dolo eius fecit quominus pertineret
ff de vi et vi ar . l. i. et l. iii et
in q⁹ nuper in successores autem et dignitate
vel ff danda est si nichil ad eos
pervenit quod dignitas numquam moritur
xvi q. ii . liberti de of del qui abbas
et qui ceteros successores tenentur qui
in bonis successerunt ff de aqua plu.
l. papinianus ff de damnis . et de ipso ipsum
ff supra . l. cum servus . et hec exceptio
spoliationis est dilatoria sed non potest opponi
post litem contestatam . in § supra do ipsis
Alii dicunt quod si de novo emergit opponi
potest sed non de alia del. privatione
si de novo ad noticiam pervenit de
exceptione proposita ¶ Queritur si prelatus
agit nomine ecclesie excipitur de spoliatione
quod fecit nomine suo repelletur nec dicitur
quod non de ipso suo contra frequens in . et quod
de delicto suo ut non delictum in vi
si quis agat nomine suo et excipiatur
de spoliatione facta nomine ecclesie vel non
repelletur quod subiectus est restitucioni
ut pendet non primi ¶ Queritur numquid
exceptio spoliationis sit dilatoria dicitur
in quod sit et est opponenda ante litem contestatam ¶
opposito de rebus de ea quod. ubi
est media ... ... dicit

dicit aliquem quod est spiritualis vel dic quod
ubi non opponitur in modum exceptionis
si requiratur vel actionis principaliter
et in religiosis quod non opponitur quia
tamen nisi esset potestas de novo
vel post actionem contestatam vel ne
quidem est licet contra de eadem
spoliatione potest excipi licet generaliter et de
hoc dicetur in c. si ¶ Item numquid
excipi de hac exceptione quod quesitum
fuit quod si agitur si non offertur
a spoliante quod ille non ab excipiente
petit ¶ Quid si actio spoliatione
quod fuit germani aliquam ei
et ille dicit se spoliatum a
clerico dicit quod non audietur quod
non petit ab eo et talis exceptio
repelletur est ubicumque utilitas publica
versatur et si quis conveniatur quod aliquis
impediunt ne defunctus sepeliatur
vel sanctur vivis vel hic publice
vel ne filius baptizetur non ad
mittitur exceptio de spoliatione
puta dicens se spoliatum ad spirituale
in c. frequens exceptio probatur quod
contra baptizari vel dici tamquam non ne
ff de novi operis nunc l. i. § si
quis vivus ¶ Adicitur quod si
agetur in iniuriam suam ut
ago de iniuria quod aliquis
iniuriam intenta . ut quod impedivit
me ne filius meus baptizaretur
etc. vel admittetur exceptio
quod adversarius non agit ad bonum
publicum ¶ Sic secus item quod
dicitur actione vero non si
dicat ad eum quod in ad ubi ad
ipsum pertinet vel pro vero ad
de iure quod in bonis etc fuit hic
ad utilitatem pertinet vel pro vero
si agitur pro vero ... predictis
ne quis turbetur in possessione
...et admittetur exceptio spoliationis

[illegible] si agatur ad interesse ptentie
actionis ut iuribus supra allegatis
¶ In glo. i. i. ff. si fidem vos
fundatam sui armis vim a forcia
[illegible] intercia alie bonorum suorum
... in medio et senator et pri
uatur honoribus et loco et in
[illegible] i forcia publica deportatur.
¶ In glo. ii. i. ff. ibi de hac
dicam et nota in regula exceptio
tibi. ¶ In glo. iii. ibi contra pre
quod nota. C. de precario siue etc. l. vbi
et ff. de pe. de hac. Et ibi accedas
et de prima [illegible] cum quis dicat
In glo. sicut iste ibi in fine dicit tamen
vim quod modum terminatur quaecumque
in regione ut quod aduersarius
non perdat in reglamento tractetur
alleget et prius de testi ff. ...ge. de
ut dicitur de numero pre c. i. et ibi
nota. In glo. hic qz ibi pro possessio
[illegible] glo. [illegible]
[illegible] occupatio et male fidei poss
non erit possessio de possessione c. f. ... ...
legere glo. [illegible] non violencia
possessione legisse quos c. vere ...
... iura tertia ... quod in ymelibus
admittitur exceptio spoliatoris
a tertio et hac eadem exceptione opposita
ea et non probata petulant quod licet
iniuriatus i. corrupit non tamen exceptio
hoc aut ... quod glo. non ...
per quos ... ...
in prigato vero violentie instituta
de ... quod ... et quod ... In
alius aut ... aut alius quam duo
possideat et tunc duo non possidendo
queritur ... de illo expandatur
... de hac excepit ... tamen quomodo
... non ... apud hoc ...
alia ... ¶ Et ibi experiri de
... quo ... non quod ...
... glo. tamen facit quod possessio
non erit ... fide ... res
spoliata est ... mala fide

Item in ... spoliatoris instituit
de ... quod aut et quod non possit
In ... ... in possessione longissima
... dicere quod mala fide ...
... terrupit non exceptio hoc
fatebatur quod non possit ... quod aut
possidet qui excipit et tunc non possessio
ut ibi ... possessione ut ... possessione ibi
... non possidet duo non agetur quod ... quod
... excipiet ista distinctio non est
sufficiens quod alius agitur quod non possidet
... ut ... ut. ... non ... quod ...
et ... ut ibi. ¶ Et ibi de ...
... excepcione non
possit ... alium cum quo ... ...
... repelli hac ...
... et ibi alius et ...
quod ... excipit de ...
non auditur quod ... et
agit ... fide ... non ... de ...
... non audiet ... nisi
... non agit ... quod non ... de
... ¶ Et ibi tamen ... ...
... capitulo ... de testibus ... ...
cum glo. quod exceptio ... ...
agendi ... attestationes non ... ...
In ... quod licet attestationes non faciant
fidem tamen ... testes poterunt re
mitti ad ... c. ... de
testi. ff. et hac ... in attestationibus
quod ... fidem in ... iudicio.
¶ Et i. ff. ... ut ... ...
... agatur ... aliquid et oppositum fuit
exceptio ... ago quod alium ...
... illa interlocutoria ...
... in ... iudicio ... quod non ...
primi iudicii ... in ...
de excep. ... ... et
l. ... ... aliquam ... ali
quas ... repellatur ... ...
non tamen ... nisi ... ...
quod ... ¶ ... petit ... ...
repellitur ... quod ...
... ...
... ...
... ...

[illegible] ... perfectionis [illegible] ... illegitim[?] ... narrat
[illegible]
[illegible]

intimauerat de sen[tentia] ex[communicationis] [illegible] q[uod] p[ar]s
p[ri]mi iudicii [illegible] ... nisi de
nouo p[ro]uocat[ur] ut ex[communicatio] d[e]nu[n]ciaretur
vel b[e]n[e]ficia subtrahantur vel al[ias] [illegible]
[illegible] q[uod] in primo iudicio non
fuit d[e]nu[n]c[ia]tus [illegible] ex[communicatus] solu[m] ut
a p[ar]ticipatione absolutus repellatur ¶ [illegible]
si exceptio ex[communicati]onis [illegible] opponitur non
ut ab agendo repellatur s[ed] addit [illegible]
[illegible] ut si quis petit d[e]nu[n]ciari ab-
solutus vel non [illegible]
[illegible] aduersarius ex-
cipit q[uod] [illegible] vel in [illegible] et
[illegible] et [illegible] excipiente [illegible]
sit valida [illegible] hac causa [illegible] noua
[illegible] in alio iudicio [illegible] et si in [illegible]
[illegible] maneat [illegible] subtra-
hi b[e]n[e]ficia [illegible] exceptio non in-
tendit [illegible] repellere [illegible]
[illegible] late [illegible] et
[illegible] late [illegible]
duces [illegible] q[uod] d[e]nu[n]ciationis
[illegible] absolui
[illegible] habuit
petebat [illegible]
[illegible] non [illegible]
[illegible] si non est .... cautela [illegible] exprimat
de [illegible] honorabili
[illegible] fiat tamen [illegible] iudex qui
tulit [illegible] non ex [illegible] qua
repulit [illegible] absolui [illegible]
[illegible]
pub[lice] et al[ias] [illegible]
[illegible] qui [illegible]
addit [illegible] nimis [illegible]
[illegible] et ciuilibus [illegible] ciuilibus
[illegible] non tamen in spiritualibus
in quibus debet agi bona fide [illegible]
[illegible] exceptio [illegible]
[illegible]
[illegible]
[illegible]

[illegible] ... in quos iudex debet respicere [illegible]
exceptio ex[communicationis] qualiscumque [illegible]
[illegible]
apud o[mn]es et ab aliis [illegible]
[illegible]
et [illegible] eodem [illegible] etiam [illegible]
[illegible] maneat [illegible]
[illegible]
ciuilibus [illegible] non [illegible]
alio [illegible] mixtis
si non repellentur [illegible] non solum [illegible]
[illegible]

[illegible] exceptio [illegible]
debet [illegible] terminari [illegible]
[illegible]
[illegible] iudice [illegible]
[illegible] non debet [illegible] narrat
[illegible] futurum
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] et [illegible]
qui [illegible]
[illegible] et in [illegible]
[illegible] iudex qui cognosset [illegible]
de [illegible] cognoscere debet [illegible]
nisi [illegible]
[illegible] non [illegible]
[illegible] iudex [illegible] cognoscere [illegible]
de causa filiationis [illegible]
ubi agitur de filiatione aliquo [illegible]
[illegible] matrimonii et [illegible] non
[illegible] qui filius [illegible]
et [illegible] si non referetur
ad [illegible] matrimonii [illegible] cognosset [illegible]
[illegible] et [illegible]
[illegible] quarens [illegible]
ubi non [illegible]
[illegible] magni-
[illegible] iudex [illegible]
[illegible]
[illegible]

[illegible] pet [illegible]

[illegible] ptis [illegible] cognosce

[illegible] et [illegible] de [illegible] ut

[illegible] arche [illegible] de [illegible]

[illegible] et [illegible] de [illegible]

[illegible] laycus de [illegible]

[illegible] — ¶ [illegible] cognoscat de

[illegible] matrimonium et [illegible] effecta

[illegible] et [illegible] petitione [illegible]

[illegible] de [illegible] ut de [illegible]

debuit cognoscere [illegible] mandare [illegible]

[illegible] cessare. [illegible] si non [illegible]

[illegible] forte [illegible] de

[illegible] ut [illegible] qui [illegible] lege

[illegible] et de [illegible] inter [illegible] et [illegible] de

[illegible] — ¶ [illegible] qui [illegible]

[illegible] de [illegible] interdictum

[illegible] recuperare et [illegible]

ablata ff. de [illegible] et [illegible]

[illegible] et ablata [illegible] interdictum

[illegible] et ad [illegible]

[illegible] et [illegible] non

de [illegible] [illegible]

[illegible] qui [illegible]

[illegible] petitionis

[illegible] et [illegible]

debuit [illegible]

[illegible] legitimus

[illegible] petit [illegible]

[illegible] non fuit

[illegible] de [illegible]

[illegible] non

legitimus et [illegible]

[illegible] ut in [illegible] replicationis

[illegible] ut in

[illegible] petitione [illegible]

[illegible] heres legitimus [illegible]

et ego replico [illegible] illegitimus

[illegible] petit et [illegible]

[illegible] fuit [illegible]

[illegible] ¶ [illegible] ubi

[illegible]

[illegible]

[illegible]

[illegible] — [illegible] preiudicio

[illegible] ut si agatur [illegible] petitione

et [illegible] de statu [illegible]

preiudicans [illegible] ut [illegible] de

[illegible] agere [illegible]

[illegible] preiudicans [illegible] ut in [illegible]

[illegible] si [illegible] preiudi-

cans et ubi [illegible]

[illegible] aliter [illegible]

liber et ubi preiudicat [illegible]

[illegible] si quis [illegible]

[illegible] ego ago [illegible]

petitione [illegible]

testatore [illegible] heredem institutum [illegible]

[illegible] institutum [illegible] fuit [illegible]

[illegible]

[illegible] petere [illegible]

repellitur si [illegible] agat. ¶ [illegible]

[illegible] attendendum [illegible] de

[illegible] de foro [illegible] ut

[illegible] et [illegible] et de [illegible]

[illegible] se intromittit laycus [illegible]

[illegible] ut [illegible] de

foro et [illegible]

[illegible] clericorum

et de [illegible] cognosset

¶ [illegible]

[illegible] non requiritur [illegible]

de alia [illegible] et [illegible]

[illegible] de alia [illegible]

[illegible] repellitur [illegible]

[illegible] petere [illegible] interdicto

[illegible] petere [illegible]

[illegible] non [illegible]

[illegible] de [illegible]

[illegible] in [illegible] ¶ [illegible]

[illegible] non requiritur

petitio [illegible]

non [illegible]

[illegible] frustra [illegible]

non

v. in debitis. Item quod spoliatus spoliati
petit possessionem quam spoliavit, et sic frequenter in restitutione spolii.
Item in dicta actione et requisitione, et similis
exceptio ut in dicta [qui] adagio et vi. Item
exceptio spoliationis obstat agenti interdicto
recuperande. ¶ Argumento contra. Cum enim
efficacie quam possessio ff. de acqui. l. bona
fides et quod c. in an dictis. Sed textus predicat
adversus spoliantis et favore spoliati. Et si
procederetur nisi excipit de bo. fateor quod
¶ Argumento ii quod dicit quod possit requiri de
aliquo quam spoliatus quod actus non competit
clericum mortem agentis ex c. ii de testi.
Sciens de exceptione spolii. Quos et non est de
actionis aque [illegible] exceptione. Sed est
aliqui quod non est audiendus requirens
si quietus dominium excipiat de sua spoliatione
de qua similis agebat. Item sicut facte
excipit quod nec si de quieri ab
aliquo interdicto in eadem recuperande
et cum spoliatum prudenciam in predict.
agere. Et quod si non expedit exceptio
agere. Et que et talis quod non expedit loco
excipiat de alia exceptione spolii quod aliquis
pendenti questione quod hoc est de me
questionis et concluditur quod fraudes quod
si ago fraudis quod te interdicto in dicta
si ago fraudis. Judex statuet
duarum spoliorum renuendarum
terminus in quo (?) de rest. spo. c.
frequens in c. ¶ Argumento in de lin
frequens in c. [illegible] ff. ad exhibendum. Et agens
possessorio ad ipsum de bo. queritur spolii
Item Et non agens possessorio recuperande
ut hic. ¶ Argumento de dicti solicite
de rest. spo. et ut ibi, nota quod hic mittas
mittens ¶ Argumento quod hic quod et mitte
alie exceptiones possunt opponi quam exceptio
et nisi interdictis de quam exceptio simul
pro [illegible] in nate dum Et quod hoc
non hac negat textus quod agens recuperandi
de bo. requirentur spolii alia spoliatione
et quod eo exceptionis nec in utrumque ¶
¶ Argumento de eo in nate dum pro dicti
ibi possessio et [illegible] utrumque ut hic
in casibus [illegible] et ut hic
non [illegible] de rest. spo. et possessione
de dativis generaliter. Sed sicut ibi.

spoliatus quod et possessorio de petitorio et
possessorio et in petitorio et in qua et simul
¶ Argumento de eo actibus in quod
vi. Et non excipitur de spoliatione ut
de sentencia sed ut de facto simul aprox.
quod deo non audiri. ¶ Argumento de c. cum
certa et c. ii de quod ibi non agebat
sed implacitabatur. Et si ita est finem
in c. cum dilecto ¶ Item contra ad sic c. quod
exceptio spoliationis non repellit agentem
possessorio sed alia actione nec quod frequens
simul interdicte non repellitur et et
exceptione eiusmodi in quod ibi actibus et
item exceptio et non impedit agentem
tum possessorio recuperande de restit. spo.
item in quos et sed sicut regula
hac spoliatus. Et dicti sunt non spoliati
in primo spoliato. ¶ Quero quod magister
predicat spoliatio an excipit quod agentem
de spoliatione an dicto agente. Dic ut
in glo et supplicatione. ¶ Et sic de
eius ne agatur petitorio et alter
agat de eadem possessione sed quod spoliat.
apparet a mandum actionis quod agente
petitorio de eadem ne quitur duo effectus
nec in actione petitoria et quatenus
restituatur quod de rest. spo. ex hac
ibi nota. Et hoc aliter intelligitur ¶
Et si agens de spoliatione excipiat quod et
conventione de alia spoliatione de quod agebat
et quod si requirens replicet de sua
ut in glo et in supplicatione. Sequitur glo.
Et dicti super [illegible]. ¶ Et glo. ibi
sed dicit hoc quod et glo. possibilis est quod
eo et spolii spoliatione quod agit et ex
excipiat quod rigore actionis quod ex
et rigore exceptionis repelleretur
Jo. hic bo. et similis agens
et mutat quod agens possessorio et ille
excipiet de alia spoliatione. Et alie
quere ostenduntur ut in glo. in c.
Bern. et hoc dicit ubi de aliud
fatum quod li. cum agens agebat
petitorio quod tunc non possit replicare de
spoliatione cum agit petitorio. Et ibi ex
quam hoc dicit hic et ex eo quod de

sed primo excipit et postea agit quia est contrarius ut ubi dicit [illegible] ille [illegible] capitula [illegible] animo et metu matrimonii et de hoc pro dicta l. et ubi dicit [illegible] Jo. et quod dico quod quia prima exceptio elidit actionem ita replicatio debet elidere exceptionem quae non est in [illegible] quia exceptio alicuius [illegible] sed elidit primam actionem [illegible] replicatio prima non eliditur per exceptionem quia non [illegible] [illegible] [illegible] sed [illegible] ad actionem [illegible] pone ego [illegible] [illegible] a te tu ab [illegible] [illegible] petis certum [illegible] ego [illegible] excipio de [illegible] illa eadem exceptione [illegible] [illegible] [illegible] potero quod [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] cadem [illegible] res [illegible] ff. de except. rei iudic. l. [illegible] et l. [illegible] et [illegible] contra [illegible] est actio quia exceptio repulsus [illegible] ab agendo [illegible] repellitur ab exceptione [illegible] [illegible] petebas certum exceptione de [illegible] et [illegible] [illegible] dolo de illa agere [illegible] potero [illegible] [illegible] [illegible] non [illegible] actio [illegible] [illegible] exceptionem et agens [illegible] [illegible] non [illegible] exceptiones [illegible] [illegible] [illegible] et agitur [illegible] [illegible] [illegible] [illegible] [illegible] exceptione [illegible] si non [illegible] [illegible] exceptionibus [illegible] agere [illegible] ut [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] effectum ff. de except. rei iudic. l. [illegible] et l. si quis ad exhibendum [illegible] si [illegible] agere [illegible] excipitur de [illegible] et [illegible] et repellitur agens et [illegible] [illegible] de [illegible] agere [illegible] [illegible] [illegible] [illegible] agere [illegible] [illegible] [illegible] [illegible] [illegible] petitoria [illegible] [illegible] possessoria et [illegible] [illegible] ut [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] modo ad actionem [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] repulsus a [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] effectum [illegible] ff. de re iud. [illegible] l. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] obligatio quae obligatur est ad restituendum [illegible] [illegible] [illegible] [illegible] et quia non [illegible] [illegible] [illegible] nisi primo restituatur [illegible] exceptio [illegible] et [illegible] tollitur [illegible] ut l. [illegible] ff. de [illegible] contra [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] tollit [illegible] ff. de [illegible] l. [illegible] [illegible] non tollitur [illegible] [illegible] [illegible] [illegible] obligatus [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] pone [illegible] [illegible] te et petebam certum tu [illegible] [illegible] [illegible] [illegible] agere [illegible] ut [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] posse l. [illegible] [illegible] [illegible] [illegible] [illegible] tollit [illegible] [illegible] [illegible] [illegible] non [illegible] ff. de [illegible] l. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ff. de except. rei iudic. l. [illegible] [illegible] [illegible] exceptione rei iudic. de re iudic. a [illegible] [illegible] [illegible] non tollitur actio [illegible] [illegible] [illegible] exceptio [illegible] [illegible] ff. de re iudic. l. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] exceptiones et actiones [illegible] eadem [illegible] [illegible] [illegible] [illegible] ff. de [illegible] [illegible] l. [illegible] [illegible]

inhiant in d. ad i. interdictu tenus fieri et dilatorias solue et alias quo ordinarius q q. agentes opponi ut abagendo repellant. Eius in contrarium ius tollitur per primam q. exceptione habeat qui exorcizasse ttus p l. d. agitur et c. dilis q. de testi licens cu i. a e ha dupl. qz iste no acti plene exauditur. est alia ro qr iste no q termt pen le inegu. Quert qre hm qz si ago ad centu tu exceptis de ex° et repellor pp ea ago ad aliud cu nu exceptis nung repellar. Rt hm pno qz nung malis mdico et ad alius q° maxim qz plus ff. de except rei iudi. l. cu quem tu perpetu et ppetui. Item qrit hic potest quis absolui exceptione taciens quaciens principaliter vel quidam fuit exiit R° dico te no absolui dici in promissa satisfac. A° no absoluitur in pstura satisfac pretulerit potest absolui. sed ad qm exceptio ut [illegible] qz repelleretur qz aliud agebatur tunc cu ut l. cu q° patri alle. Item qrit petit quis absolui vel dt primam actionem et app. legi. processit exequitur qz n° app° processit vel no legitimi et petitur ex° pub° et penas agitur et ops exceptio cuis qz si rts no petit dic qz repellatur et pene agitur in d. exceptionis i. retulit aliud vbi repulsa p gferri ex d. tit. de plus petenti.

Qz plerumque dicendus plus petere q° de batur no ut gos. no hi m° i cor eos
gl. in c. gfent c. gplui

potest an. mas plus petendi et peccat plus petendi et illos mos expone ibi plus petenti et inde infra solebat forte p te quoque. ponderare solebat forte a indo in debitor efficitur no solue de ex° et a rec. it. ut de sy. lex. hely et ibi gtur. i. a glo expresse i ea prima i gne ff de f. nij. l. inermis et ff. de cdli si de l. pactu et illo debitor no liberaret l. sectu et illo debitor no liberaret ca gent petere no posset ff. ad l. falci et l. i rec ai q. morte. xxo vel cu q hoc fre i fundo petere totu alibi

f. ubi ff. domini gof cod qz male plus pmcit qui q lege plus puidet. Ite no pones plus petendo. Ite collige ca. in quo tacito e pe ff. m et fo modi i e ai de p. dei. Ad de da cau tyt q q dispone ma sup hat m. de p glo q inre Retori disponeri erit qz quis qui plus petere caderet a to ca. mstitu de actio. ff. p quod sed postea statutu fuit qz petes plus ue nel ca puniret. a exceptio et i triplu gstrulase dicitur i sui de acti q ff. qui ha qui plus lato vel tpe puneb admiteve et i tenerl lait inducte i stu de acti q tripli et explicatur istu modi plus petendi instituti de acti q plus aut fuit mens ure aucte. q codicis i due ca qz si quis p dolu exigat cautio de pluri et grefit i indu. et no puniat an interet te et gfiteat qz pp exp in bito no cadit a ca sua aut gfitedatur pp hoc gtf dolense cadit pena no i bito no pt p rec. ad fatus cu sacrautu in itis i t. de no dolo et f. de gfessoribus et hinc l. e ty. l. vna merito et glo et ibi non. ho° disponitur ut in hac c. salus qz de sportulis dicitur. qz no p credit de equitate canonica f. de dolo c. a. Credit si ipi hoc voluisse expressisset de acti adiudicaretur ut qz sportulis hoc iure no dant de la et ho ea cu ab oi a. dupli vel tripli no pnt de gste cu accessissent [illegible] c. ty ex i l. vna c. e. ty. c. alia pena ut i exigente cautio dolose sup maiori quite d. f. in glo. a. Ite est mo gfi reci declaretur c. tu. appo q° adpin. c. de l. ubi de inre ducu et ff. de hys qui i fraude credito. l. aut ptor ff. qui sepedi cogn. l. si sede nissor q si [illegible] tu hoc [illegible] qz male agit creditor i dic si ager an dic

flr i casib; qr fuo ad i opud berge te constante matrimonio mtr pet dote ut l. ubi p alid. Itc in debitore fugiente cl et suspecto a quo petitur cautio ut iuribus o allegatis ¶

¶ ii qr lic q obligatus i uno lo i alio possit conveniri ff de eo qd cer lo. l. ii ¶ fatetur quom de plano qr in loco contrario pt conveniri est alibi q ubi promisit cu hac tn salt qd interesse q deputatur ut hic et i isto cu spec. iudi i alio no f gest ¶

¶ iiii q creditore i die an die agente opponi pt dilatoria sola tur dr aut opponitur ꝯ excep an tur dr aut opponitur ꝯ excep an lite aut p'ui an lite tur no deb potest p p' peccd et alie exceptione ꝯ de except l. except ... p' tur deb; iudex pronu. ff de iudi l. de qua ¶ pr dr duos i tu sumus q opponat debitor exceptionem peti q no teneatur solue p diem pr dilatoria sori et q opponi et p' an lite gest fit i t. inpetu de dotri q qualis vel gentiete actore opponit an lite gest dilatoria pleas et probant et hos duob; casib; no compellitur medoare nisi solutis ex pensis et duplicatis in duris lapsis inpetu de except. q tpo ff i t. q debitor an lite gest oppo dilatoria solutis et q p' lite gest probabit cet probant est et tur no cogitur susceptere lite post expe cas. sine in lite post debito pri io p dicis expletis ¶ aliqui tn dnt q illos pt in eo fo. p' lite gestis tn debitor no tur ea sequi nt ad prium procedatur io p dcis ex plecis i mo dnt q iudex absolvat debitore ab instancia iudicii ff de hered petit l. qr si in die hoc tn no e verum i mo exaquo q sat de debito q depositi debitore p dcis tn pone in prtis credi tori q pro tenent ff de iudi l. de qua re ff ad l. aquil l. i lige

nt. ob hoc q si mdie qr ubi no agebat ad debitu p adiudicato; in fauorem in quo fit conceptio ff de iudi l. maiorus ¶ Vel io e c qr hoc petio no competit contra debitore in die verum e tn q aliquis duplicatur sola tm tps quatu sup e tpe petitois p hoc q duplicetur ocs in dare alege in quete apretes licz fit frm tenuit q duplicatur sola q sup e ... n q tatu totu tps dit expm de tpe dotis ꝯ de rei uxo ac l. una q cu aut ff de consti pecunia l. promissor q si in die ¶

¶ que plus petebam in una iudicio pro e commissa i alio eo age gdiccoe hnus c. ad penam pt in spec. art q no qr quencia ec. dimidi no debet ꝯ de iudi nlla p de prescrpt p' apprtur c. ii et qr hoc gravent prim iudi in rollet dr hic q s feratur pnnt i p iud agetur in p' at procedit in dei ¶ ¶ si ponderus sana pnnt i p iudico no e opus novo iudicio p agi pt ad execucio pnnt contr quo in qr iudex sup hac pelle hute nt agetur ꝯ dicoe hnus c. ¶ ¶ proc peto aliq in debitu alicui deb; in ferri pnnt uel magis debeo quod si ut plus petes aliquid dnt q deb; ferri pnnt ¶ ¶ ponderis deb; reus absolui propter i operatem nti pre ncois i mo repugnancia iuris ¶

¶ si actor plus petit reus plus negat incidet ne in penam hnus c negat incidet ne in penam hnus c petens plus uel negans minus minus dnt aliqui q sint penas q pequato hic in de adulte c pte i voltt Ego credo q reus nullam i crrt pona qr pt pupulri negare nar ratu et petitu qr licz reneret mig debeatur a i cluderetur sub maiori pnnt tn licz pit negare ubi plus petitur de quo dixi de lict gest c uno ꝯ tensa mat hic qr leo

[marginal note:] nota ... tex ... ut ... non debet ... petere possit ... ex ...

quam plus petere et ut pena ... non est concedenda ut in l. ... in pena ... ¶ Ang. ... ubi ... vel ... adversarius fecit expressa ... subest ... et ... in adversario ... de ... quod non ... in ... tibi ... de ... ¶ ... de ... cognitione ... possessorium et petitorium ... incidenter ... non ... in ... in ... preceptis

Non ... allegatur ... quod ... non debet et quod ... non ... de iure ... de absoluta ... ¶ In ... de ... corporalium quod ... possessio est corporalium ... de acquir. poss. l. i. ... aliquis dicit quod ... quasi possessione iuris ... de iure ... possessionem ... non est ... qui non ... possessio ... non ... quasi possessionem ... actus ut ... in quasi possessione ... possessionem ... ex ... ad ... actu ... in quasi possessione ... ut ... et ... quod ... in quasi possessione iuris ... et ... quod ... apud ... et ... possessio vel ... possessio ... possessor ... quod ...

... possessorium ... proprietatis ... non ... possessionem

... vel ... quod apud ... sit ... vel ... non est quod ... in ... et ... ¶ Ang. ... non ... de iure canonum ... et ... de possessionis ... de iure ... non ... in ... ut ... et ... de ... vel ... obtinent ... obtineat et ... ut ... de ... in ... ¶ Ang. ... adverteret ... quod ... antiqui ... est ...

Si possessorio et petitorio ... actum ... prius possessorium terminare ... possessionem vel ... quod ... et ... publicet ... possessionem ... debet ... quod ... non debet ... ¶ ... de dolo ... ¶ Inst. ... publicet ... et ... ¶ Et nota ... quod ... possessionis recuperande vel adipiscende ... exceptio petitorii est ... ex ... de ... ad exhibendum ... de ... ut ... ¶ ... recuperande vel adipiscende non ...

... non ... possessio ... non ... possessio ...

de [illegible] c. de rei [illegible] de crimine
[illegible] hoc q[uod] [illegible] ad
[illegible] q[uod] no[n] in [illegible] privilegiatu[m]
Item no[n] [illegible] admitti reu[m] de
[illegible] recuperande
[illegible] remedii [illegible] de iure
[illegible] modificat hoc nisi notoriu[m]
[illegible] de iure rei [illegible] vel aliter
Item [illegible] hoc no[n] [illegible] exceptio [illegible]
[illegible] dispensacio de privilegio
possessorii [illegible] generaliter et si [illegible]
[illegible] excepti iuris [illegible] no[n]
[illegible] iure Item [illegible]
[illegible] odiu[m] spoliantis et favor
spoliati [illegible] notoriu[m] excludit [illegible]
[illegible] q[uod] si actor agat petitorio i[n] ca[usa]
matrimoniali et reus possessorio
recuperande [illegible] iudex i[n] possessorio
dilato petitorio ut [illegible]
[illegible] c. cu[m] [illegible]
[illegible] possessorio
et petitorio [illegible] agit

si possessorio et spoliatoris [illegible] no[n]
[illegible] i[n] possessorio [illegible]
i[n] petitorio [illegible] et [illegible]
[illegible] narrato [illegible] ubi [illegible]
[illegible] [illegible]
[illegible] creatur [illegible] vel celebratur
[illegible] hoc e[st] [illegible]
de [illegible] querelam requirere
[illegible] hoc [illegible] in
[illegible] petitoriu[m] et possessoriu[m] [illegible]
[illegible] ut [illegible]
[illegible] q[uod] [illegible]
[illegible] hoc e[st] [illegible]
[illegible] negat [illegible]
[illegible] hoc [illegible]
[illegible] negat [illegible] no[n]
[illegible] iure [illegible]
[illegible] de [illegible]
q[uod] [illegible] de [illegible] libri
[illegible] de [illegible]
[illegible] de [illegible] q[uod] [illegible]
[illegible] [illegible]

[illegible] possessoriu[m] [illegible] hoc
[illegible] petitoriu[m]

[illegible] q[uod] [illegible] firmacio[n]
[illegible] et [illegible] de [illegible] i[n] notuit Item
q[uod] [illegible] de [illegible]
q[uod] [illegible] Item q[uod] [illegible] possessio [illegible]
de [illegible] querelam [illegible] pro [illegible]
[illegible] Item [illegible] testes [illegible]
Item no[n] negationem i[n] probabilem
de [illegible] hoc Item [illegible] q[uod] petitoriu[m]
et possessoriu[m] i[n] iudicio [illegible] hoc [illegible]
[illegible] deductu[m] no[n] aliter [illegible]
[illegible] dicebant [illegible] q[uod] [illegible] in
[illegible] libellus [illegible]
[illegible] no[n] [illegible] quo iure egerit
[illegible] de libel[li] obla[tione] c. ii et iii
[illegible] petebant et no[n] concludebat
q[uod] [illegible] ut [illegible]
q[uod] [illegible] c. [illegible]
c. et c. [illegible] dicebat hoc
q[uod] [illegible] includit [illegible] et
[illegible] includit possessione [illegible] igitur
de [illegible] dico de iure
[illegible] possessione [illegible]
[illegible] et [illegible] ego puto [illegible]
[illegible] libri [illegible] peto [illegible]
[illegible] clari
i[n] [illegible] deduci [illegible] petitoriu[m] et
possessoriu[m] [illegible] utrumq[ue] i[n] [illegible]
[illegible] no[n] [illegible] possessoriu[m] recuperan[dum]
de [illegible] petitoriu[m] [illegible]
[illegible] et hoc [illegible] i[n] [illegible]
possessione vel [illegible]
[illegible] actus [illegible] introducatur [illegible]
[illegible] de [illegible]
[illegible] petitoriu[m] et possessoriu[m] et hoc
de [illegible] libri [illegible]
[illegible] q[uod] si [illegible]
[illegible] de
iure [illegible]
[illegible] c. et [illegible]
agit [illegible] petitorio [illegible] si [illegible]
[illegible] generaliter
alia no[n] [illegible] utrumq[ue] [illegible]
[illegible] e[st] [illegible] ff. de [illegible]
l. [illegible] [illegible] si [illegible]

declarari vel mutari per Clem. ut pro vel
forme non preiudicat sententia cassatoria
nec petitorio nec possessorio quia neutrum
deductum est in iudicium in medium etc.
¶ Oppo. hec non est bona glossa et
libertati est contra me contra ... apud
quem est ius eligendi ergo non debet cas
sari cum quasi possessio pertineat de iure
pro. contentionibus de electione querelam
Sed dicit quod secundum est contra et debet
dici quia apud me est possessio iuris
eligendi ... sicut hic. Hoc oportet
ad hoc ... de elect. ... de integr.
restit. et est contra ... de elect.
... apparuit quod plures sibi substitutos
... quia aliquis ius potest esse apud aliquem
... non dicit quod ...
... libere ... ad effectum cassationis
et confirmationis si non appareat aliquis
possessor. ¶ Ego non credo quod de
solo possessorio iuris eligendi ...
... quod habet ius eligendi ... quod
apud eum sit ius eligendi ... aliud
... possessio rei ... de acquir. pos.
l. ... quod michil et l. ...
... et hoc ... quo ergo etc.
apud aliquem vel ... aliqui ...
non ... in ipso signato in quo ...
... plan' ...
... ager vectigal. ... de
... quis ...
... in c. licet de dolo ...
quod alter ... possideat quia ... in ...
ergo iste ... non est ...
... cum sit ... et
ad hanc ... ut notavit
idem Io. an. ... rubri ...
... ergo possessio et non
... ¶ Oppo. ... ipsi non potebant
nisi cassari ... petebant restitui ...
... qui ... non ...
de quasi ... liber ... aliquis
... hoc sit ... in ...

ante quod non petitur ... in ... vel
dic quod hoc ... et hoc verius. ¶
Oppo. ... electi petebant cassari electionem
... cassat. et petebant se restitui
et restituit ... plus petebant ergo
... male fecit ... canonicos a
... propter ista duo ... supplere
ad libellos electorum et canonicorum qui alii
ei ... confirmand. electionem ...
petierunt electos mandari ne de cetero
se intromitterent de eligendo ... solos
canonicos ... intromitterent eligere
¶ Clem. ... cassari electionem
se restitui ad quasi possessionem iuris eligendi
... mandari canonicos ne procederent
de cetero ad electionem ... exclusos ...
... ¶
Oppo. ... cassavit electionem ... quod non
debuit ... celebrata ab illis qui de
iure debuerunt eligere ... quod ...
... bene fuit celebrata a
... non ... quia ipsi erant in
quasi possessione quare non debuerunt
... canonicos dimittere ... ¶
... obscure est dictum ... de elect.
et nota ... in ... ...
... in possessione vel quasi male
... non facit fructus possidendo
... fructus ... quasi
... possessionis est eligere ... de
possessoribus bone fidei ¶ ... in ...
possessoribus ... eligit et ...
quod quasi possessores eligunt et ...
quos ... non ... et eligunt
... confirmabitur electio facta a quasi
... confirmabitur electio ... contra ...
possessoribus de iure pro contentionibus de
elect. querelam et ... opportet
... non ... electorum ...
... ius eligendi ... a possessoribus
exclusis ¶ Oppo. ... et ...
quod illi non debuerunt restitui quia
... incidentem ...
illi ad quod ... de iure ...
quo agitur non restituitur ...
... ad ...
... aliquam ... contrarium
... si ... ...

actor ubi exprimebat titulum qui in libello ratione
cuius notarie fundabatur ius adver-
sarii et petebatur petere [illegible] hic
dicebat se decem[illegible] admitti et petebat
responsum [illegible] nichil titulum exprimebatur vel
dicit quod ubi exprimitur titulum qui de iure com[muni]
quod respicit petenti quod non est. [illegible] di
obeuntibus. Contra. [illegible] hic dicit [illegible]
non [illegible] [illegible] [illegible] [illegible] [illegible]
quod si [illegible] essent [illegible] [illegible] [illegible] oppo[sitio]
de c. i. de [illegible] libri [illegible] [illegible]
[illegible] intentionem suam de iure com[muni] non potest
aliter [illegible] quasi non habet titulum
2 quod [illegible] hic allegabatur titulus [illegible]
quidam quod [illegible] est correcta. Alii quod alle-
garetur titulus qui est [illegible]. Alii
quod [illegible] non credunt de titulo [illegible] non [illegible]
[illegible] [illegible] Alii quod hic [illegible] de [illegible]
quod non requirit titulum ubi in [illegible]
differentia [illegible] [illegible] de [illegible] c. [illegible]
credo hoc [illegible] quod de iure com[muni] non
[illegible] [illegible] nisi [illegible] et [illegible]
[illegible] nisi cum titulo [illegible] hoc tamen ut ubi
Alii dicunt quod hoc ius [illegible] non [illegible]
electio. Alii dicunt quod tamen ius eligendi
non possit [illegible] [illegible] electos. Contra quod
quod eligat non repugnat iuri com[muni]
[illegible] di obeuntibus. [illegible] [illegible] hic
[illegible] [illegible] quod allegabatur titulum qui quod
[illegible] titulum [illegible] evidentia
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
ut hic [illegible] cum [illegible] admissi
admissi sunt de beneplacito [illegible]
et sic [illegible] [illegible] [illegible] [illegible]
[illegible] negligentia eius [illegible] quod ut in
[illegible] [illegible] hic [illegible] admissio fuit
[illegible]. Contra [illegible] titulum in [illegible]. Contra
[illegible] [illegible] quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] possessio
[illegible] [illegible] de [illegible] de quarto
[illegible] [illegible] [illegible] non plus dicebat quod
admissus in postulatione [illegible] [illegible]

[illegible] ius eligendi. Contra [illegible] [illegible]
[illegible] electio [illegible] [illegible] canonica
petiit illam cassari iudex pronuntiavit
eam cassatam quia celebrata non [illegible]
canonicis ad quos [illegible] ius eligendi [illegible]
[illegible] agitur [illegible] quod [illegible] [illegible]
iure. Contra quod [illegible] effectum rei
iudicatae in hac iudicio prima [illegible]
[illegible] dicit quod non quia agitur [illegible] i. de
[illegible] [illegible] [illegible] [illegible] [illegible]
quod si petere [illegible] quia [illegible] [illegible]
est [illegible] [illegible] quia non plus [illegible]
[illegible] quia obstat res iudicata [illegible] age-
[illegible] ad [illegible] ff. de except. rei iud. l. [illegible]
si quis cum totum [illegible] et [illegible]. Dicebat
[illegible] [illegible] [illegible] quia si [illegible] agebatur
[illegible] [illegible] unius eligendi et [illegible]
[illegible] [illegible] non cassabatur electio si [illegible]
eligat [illegible] [illegible] [illegible]. [illegible]
quod hic [illegible] ab. lex si quis argentum
[illegible] si [illegible] ff. de except. rei iudi. [illegible] totum
[illegible] petebam [illegible] [illegible] [illegible]
[illegible] si [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] obstabit exceptio rei iudica-
[illegible] ut. l. quod si [illegible] de [illegible] [illegible] ad
[illegible] quod si [illegible] quod ubi [illegible] de
lege quod si [illegible] [illegible] agit [illegible] [illegible]
[illegible] [illegible] in modum exceptionis [illegible]
[illegible] et [illegible] [illegible] quia [illegible]
[illegible] [illegible] est [illegible] l. cum [illegible]
cum l. [illegible] et [illegible] ff. de except. rei
iudicatae [illegible] [illegible] ubi [illegible] [illegible]
[illegible]. [illegible] non est [illegible] cum [illegible] [illegible]
[illegible] [illegible]. Est alia ratio differ-
entie [illegible] in [illegible] exceptio de [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible]. Contra [illegible] petens cassari
[illegible] quia ad cum [illegible] ius eligendi [illegible]
[illegible] quod [illegible] [illegible]. [illegible]
regulariter [illegible] quia [illegible] [illegible] [illegible]
cum [illegible] [illegible] est [illegible] in modo [illegible]
obstabit res iudicata [illegible] si [illegible]
Est [illegible] quod [illegible] de [illegible] [illegible]

c. n. ubi fori … sup. in prin. super principali
ob age volenti super incidenti a quo
sit … in questione lata super
principali … proueniret propterea age volenti
super incidenti apparens non expresse incerto et
tunc … cognitio principalis negocii est summaria
et cognitio incidentis requirit
plenam cause cognitionem et tunc non prouidet
ex. in petente se alimentari quod premittitur
iudex alimentandum ut filium a patre hic
summa non prouidet de filiacione propter principalem
apparet ut … si iudex ff. de his qui sui
vel alieni iuris et l. si quis a liberis q.
sit partus ff. de libe agnoscendis. Et cognitio
principalis cause requirit plenam cause cognitionem
et tunc et si in illo incidenti apparens non
poterat terminari principale negocium et tunc
sententia lata in principali ob. propterea age vole
ti de incidenti ut c. n. … et l.
si … dicatur cognitio … si illo
terminari potest principale negocium et tunc
si illud est apparitu et expresse incertum et
obstat propterea agenti ex illo sensus apparentia
in expresse incertum ut l. … quod
… ff. de … at ad tamen illud inci
dens apparet quod agere ad quem inci
dens … agens in modum
… ad … coadiunandum
ut potest quod minor petit se restitui quia
minor et iudex expresse premittit super
etate minori ut l. minorabile ff. de
minori. vel quod petit quos cassari electos
apparens in modum … quod … ius
eligendi. hic procedit … in …
summa lata super quos … apparatus obstet
age volentibus super quos principaliter
et hoc credo quod si plene de quo cog
nitum sit quod summa obstet … ob. …
allegata … quod … loquuntur
ubi summarie cognitum fuit demande
… ut c. … ii de testi. et c. cum
super de re iudi. … ob. … effectus
ad quod agitur quod isti sunt effectus ad …
subordinati in modum … et … ut sit
sit … dici quod premittatur super … producere

solum … effectum super quo premittitur …
… solvatur … quod …
… sit super eadem … si … sunt
productiva aliorum effectuum quod tunc premit
titur super … relata ad illum effectum
non obstabit si propterea agatur de …
… vel relata ad alios effectus
ut … hic … et …
… sua defensa est …
ab … ius elige
di … effectus … electionibus
futuris … non … illa …
petitur … non sequitur
non … ius eligendi non … ut
in futurum … esse privatus
illa … negligentiam
vel delictum de … et … c. …
et c. cum … de … et …
et … quod … committitur
petere non … quod cessat …
… ius eligendi … restringetur
ad effectum et solum … sua …
et … ut … illa …
… ff. … omnium …
… et … de …
… ubi … solum … effectus
ut … in …
… in quasi … possessione iuris eligendi
… ad quos … non possidet
et … eligit … electo
… aliquem quod … ius …
… electos quando … habebat
ius eligendi … possidebant …
… iuris … de …
… non ob. … electorum …
… de … ff. …
… si … de …
si … ius eligendi
eligendi … quod … cassari
et electos electorum … confirmari …
… non … ius … dicere …
… que … l. …
… et illud quod … procedit
… in corporalibus … in …

adherent omnibus electorum ff. de pact. l. si
de elect. dudum in glo. absolutis fuit
aliquis qui de iure non possidet non valet
[illegible] per quod in l. de mala fidei possessione
et ibi intelligit per de quibuscumque aliis
iuribus et corporibus quasi possessoribus ut
in primo et pluribus [illegible] opus fuit in dict.
glo. electoris sola [illegible] possessoris
iuris eligendi. Capitulo circa procedere
glo. [illegible] quasi possessores et etiam
in quibus de iure deberentur licet non
possiderent tunc in uti pro iure suo
possidere tamen [illegible] de electione cum
cum per hoc [illegible] procedentium de electione
certum ff. de usu[fructu] in fine l. praeterea
et l. urbanarum in [illegible] quod si iura mea
pura alia non possunt separari ab omnibus
quam [illegible] iuribus apud eos [illegible]
catur effectus iuris et possessio in [illegible]
[illegible] ut in [illegible]. C
[illegible] si electi interfuerint cum electores tunc
quod completa fuit possessio [illegible]
[illegible] nunquam possessio [illegible] eligendi
et [illegible] quod sit [illegible] ff. [illegible]
[illegible] amittit et l. [illegible] et
hoc quod postulandus eligitur de venire
post electionem. Credo tamen oppositum
[illegible] toto illo tempore [illegible] fuit
[illegible] postulatione [illegible] electorum
et [illegible] admissi ad postulandum
et non ad eligendum [illegible] illud
[illegible] quod possessum est ut l.
[illegible] ff. de [illegible] et de
[illegible] possessio [illegible]
[illegible] duplices
[illegible] possessionis [illegible] possessio
C[illegible] in [illegible] ut [illegible] glo. vel
dic quod electi noluerunt [illegible]
[illegible] c. 1. vel dic quod canonici [illegible]
[illegible] et sic [illegible] requirens
electorum in possessione vel dic quod [illegible]
[illegible] ordinario vel delegato cum [illegible]
petitorium et possessorium [illegible]
intentat possessorium [illegible] alteram
tentare petitorium non in medio

requirentes [illegible] in medio [illegible]
vel dic quod canonici non [illegible]
[illegible] in [illegible] et hoc plus
[illegible] C[illegible] dicebat [illegible]
quod potest [illegible] probare
quod illud tunc possidebat et sunt [illegible]
ff. de [illegible] l. 1. q. 1. [illegible]
probat possessionem [illegible]
de non impediendo vel [illegible]
[illegible] [illegible]
[illegible] ut [illegible]
[illegible] de hoc non [illegible]
[illegible] non potest referri quod [illegible]
[illegible] ff. de aqua cott.
et [illegible] glo. [illegible] quod
glo. [illegible] uti iure suo non
agit [illegible] interdictis [illegible]
non [illegible] uti iure suo [illegible]
[illegible] quod tendit
ad tuendam possessionem suam [illegible] retinere
et [illegible] de aqua cott. et [illegible]
[illegible] [illegible] C[illegible]
[illegible] electos interesse
electioni [illegible] quod [illegible] interfuit [illegible]
[illegible] possessionem interessendi electioni et
hoc [illegible] electione quod interessendi electioni
[illegible] possidet glo. [illegible] et c. [illegible]
quod [illegible] admitti [illegible]
[illegible] de iure vel
[illegible] ff. de aqua cott. et [illegible] l. a.
[illegible] glo. dicitur quod sufficit si [illegible]
[illegible] fundum [illegible]
non [illegible]
[illegible] in [illegible]
et [illegible] ad hoc quod [illegible]
illud interdictum requiritur quod [illegible]
[illegible] xxx. diebus quod [illegible] quod [illegible]
[illegible] ff. de itinere actuque privato l. 1.
[illegible] et q. [illegible] si [illegible]
[illegible] domo [illegible] vel [illegible]
[illegible] domo [illegible] [illegible]
[illegible]
[illegible] non [illegible] quod [illegible]
[illegible] plus [illegible]
fieri de [illegible] quod [illegible] ff. de [illegible]
l. 1. [illegible] ff. de fundo [illegible]

i prime lege. l. cum delamonis q a
sua excl. p alle que tunc de iure cum
queuit recipe ut si epo. bisrinus a domo
subtrahi vel expelli mera sua diocesis tunc
bn ipsius queve possunt de ipsis cum
expositum. Secus si de gratia cum ptestat
de qua i c. bon. ii de postu p. differe
ti go iudicio in hiis et c. extrariis cir-
cumstantiis se instruet se cum pp.
quo dictis idem vult
q e c. a pxim proximo post
fecit mentio in cimisio ii ibi cum presbyter
lxcluxi quere et p exalteri et ... mihi
tiqua quilibatur et alter favore regis
dignitate opponens extitisse forte bis
a pone vel prime. Item. q petitorii
et possessorium sit intentari pone ut q.
c. a pxio. Item q spolia de om. restituatur
a c. a pxio in lis. Item q depone re cog-
nominat indicant. Sed non apparet q
presbyter fuit installatus. q. milites c
bis et affirmatus non h3 administratorz
ut c. i noie de alegato go si no
h3 administratorz no pt spoliari et nec
interdictum possessorium intentare et tm
intentabit interdictum lati. bdet de
stare xxiiii di. i noie dm sp q ap q
no installatus ne administraret et interdictum
no debz posse intentari cum dm installa-
tione no debeat administrare ut ibi.
Sed si in. bbi no est qui installandi
sit no installatus administrare de quo
dicit ut dixi pp. pi de elec. cum transmissa.
Item q ii. intentans i tercium h3
pre possessionem precessisse et se spolia
tum fuisse de of del qualitatibus a
q. ty pxio cum adpedem go ipse solo
confirmatus no pt hoc intentare sicut
de herede dicitur q licz p additionem effici
atur dominus dns no tm possessor rerum
hereditarium nisi i illorum possessione i du
catur ff. de acqu. poss. l. cum herede
Sed dt in q si plures solum elcis et
confirmatus bult intentare i tercium

alter vos i ... potuit. nove ecclie
no tm noie ipio q confirmatus a lege
h3 facultate administrandi tm i indi
g e cxp. ut c. transmissam de elec. go
oes acciones qpetentes eccie potest i
indicium deducere si eccie spoliate
competit interdictum recuperande go id
potest intentare si nove ipio no poss
q nunq fuit i possessione bonorum
illorum et nec umq spoliatus fuit
Sed nove ipio bn potest intentare
i tercium quoniam ad quasi possessionem
iuris placuit. Sed go spoliatur
iure administrandi q h3 confirmatus a
lege intentare potest interdictum bel
nec ipio nove restituetur ad statum
pristinum et liberam administrationem ipius
episcopi ut lib. q. ty pxio - olim q a
c. pximus de ap c. bec et eis
c. restitutionem e pnd cum spoliatus
est restituendus e pnd cum spoliatu
et oes res ablate restituetur ff.
de bi et bi ar l. qui bi q si fundus
na licz hoc interdictum no competat
nisi possessori et ipse confirmatus q
dicitis res no apprehendat si eccia
tm ty eque pt apprehendit nove
ipio vel eccie in i tercium benit
omis et si eccia no hoc ipse si
custodiam tm prius fuit vos de
potie et pignoratie ff. de bi et
bi ar l. i. i. rio et q q aut
aut licz de elibz no daretur i
tercium si ipse occupata forte
et de ipis posse agere cum eccia
illa nr. tyr ulitur nec non pp plures
ff. de bi et ar. l. i. i. q deciture
q interdictum Sed aut occupant cum
eccia tunc rex accessoriis benit i
tercium. Item plures competit i
tercium vel offm q recuperando
statum suum et illas res pt petere
rex accessoriis q q acceduit capito
patri ad q e restituendus ff. de
bi et bi ar l. i. q pretisse

et q̄ inde . et l. merito ¶
Cũ oppo̅ i terdcm ubi ꝯpetit
solu̅ admittere ff. de vi et vi ar.
l. interdco hic aut no̅ interest
ꝓlato noue ꝑo ſꝫ ecclie tm̄ q̄
ſolius i terdcm uel offi̅ m̄ ꝯ q
ꝯpetit ad re̅ ablata uel extimatione
et ſi no̅ intersit eius qui ſpoliatꝰ
e̅ ut ꝑ ff. de vi et vi ar. l. i.
§. q̄ aut̄ ſimi ꝯtra adue̅ loca
tu̅ no̅ interest locatoris ſi vis
fiat ff. locati l. ſi merces § vis
maior et l. ſequi et cũ interdco
ubi extimatio rei loco iũ dco
§ q̄ aut̄ / ¶ et dici q̄ ꝓlati i ter
est roe̅ administratois ſibi ꝯmiſſe
xi q. i. ep̄s et q̄ de fructibus ꝓpt̄
tm̄ de peculi clici c. ſi et ſicud
ſibi ꝯpetit interdcm ſicud uſufruc
tuario ff. de vi et vi ar. l. iii. §.
ubi vi et roe̅ accessorii tm̄
violentus ad oes̄ fructꝰ dapnorꝫ
et expenſarꝫ. i. ꝑ ꝓxa ꝯtinꝰ de
ap. hoc ſiue ꝑo ꝯcludendo ſu
dictis ꝯtra ecclia̅ ꝯuentualem uel
ſpalem ſu ꝓma̅ vicariu̅ xpi poſſi
dere̅ ſuꝑſedendu̅ e ꝓlatu̅ poſſe
(ſuꝑ: tenendu̅)
intentare i terdcm ad oes̄ actiões
heres aut̄ ſcilꝫ ꝯtinꝰ hereditate ad
ierit no̅ pt intentare i terdcm
adue̅ hereditaria occupata̅ ꝑ ꝑiꝰ
q̄ occuparet̄ ꝑ ſe uel ꝑ aliu̅
poſſeſſione adeptꝰ fuit ff. de acq̄.
poſſ. l. cu̅ heredes hic fuit i
ecclia tuo ſic ſi ꝯpm ſu ad res ſpũales
ecclie ꝯpetit ꝯfirmato acto hic
et ꝯtra ꝯtra adeptus ſic
ꝯmendatis q̄ interest ecclie
¶ Oppo̅ in cõ vi q̄ electo ꝯfirmato
nec ꝯpetat acto ad bona ecclie q̄
dominiu̅ rerꝫ ecclie no̅ est penes

ꝓlatu̅ ſꝫ penes deu̅ de hoc ꝑꝫ
c. xxi. xii q. ii. § i. ꝯexpedit q̄
videre interdcm ꝯpete ſoli vicar
io dei q̄ ꝓlati ſunt ꝓcuratores
de do. c. iii. d. ſi in bo̅ ecclie ſunt
dei ut mribꝫ co allegatis ¶ Aut
etiã pauꝑum q̄ debet erogari i
pauperes xii q. ii. duꝫ et xvi q. i.
q̄m q̄ ¶ Alii dicunt q̄ bo̅ ecclie
ſunt murorꝫ et edificiorꝫ ecclie
¶ Alii dnt q̄ ſunt xp̄i ¶ Tu
dic q̄ directu̅ dominiu̅ e̅ dei q̄
ſunt erogata ecclie i titulo dei no̅
dico q̄ ꝯualitate illa ſunt dei
de quib; ſunt oia alia ſꝫ ꝓlati
hnt ius administrandi et no̅ ꝯ
dicit ꝓpriu̅ qui patrimoniu̅ ecclie
q̄ c. cce. i. de ꝓben. c. iii. et ob
hoc diviſa fuerunt bo̅ et limitata
bo̅ ecclarꝫ ꝑ alterꝫ administro ep̄s
ꝯceſſa ut uꝫ in clero penitus
ꝓclaruit xii q. i. videntes et c.
expenſis et ci ep̄s / et ꝑ hoc arguu̅
q̄ diſpẽſatores ſunt adeo ſi ꝯceſſe ſunt
intra uſufructꝰ valde in i ꝯmu̅
e̅ q̄ nulla et parte meliores c.
ſuis et ſuꝰ parte meliores et
nullius i verbo eiꝰ habu̅ dt
ꝑ que ꝓꝫ q̄ hoc ꝓlatꝰ moriatur ſi
oẽs clici de ecclia no̅ tm̄ vacat
dominiu̅ bonorꝫ ecclie qm̄ xp̄s no̅
moritur nec pt eccla deficere vel
nec deficit eſſe heres i libro ſeu
de aliena ſeu c. ſi clericibus
¶ ꝓlati vero ꝯfirmati ſtatim admin ſtrare
ꝑnt et noue ecclie actões moue de
iure ꝯcederi ſicud tutor noui ꝓui
pilli ¶ Cui datur noue adulti vel
ꝓlati no̅ ſunt domini ſꝫ ſunt ꝓcurꝫ ꝑꝫ
ſunt tn̄ ut uſufructuarii ut dicta
de preca cle c. ſi et no̅. i c.
ꝓuti de oꝑ. or. ſi vi ¶

In glo. i. ubi [illegible] dr. q [illegible]
electos [illegible] creatore de facto et effectu
introductos a iure positiuo formam
[illegible] [illegible] tamen electos Sz si flat
q inferiore non [illegible] transfert
tn [illegible] [illegible] [illegible] de actual
[illegible] [illegible] operatur tn effectum admi[n]istra
di ut l. ar. ff. de eo q cu [illegible] tu
opus est q no pt fieri aliud [illegible]
[illegible] [illegible] ut dicit [illegible] de excess.
p[re]la[torum] interdictos et de aliis dic ut
dixi de ele. q [illegible] In glo. ii. ubi
fructus [illegible] [illegible] in rebus [illegible]
[illegible] [illegible] [illegible] [illegible] q deti
[illegible] iuste no facit fructus suos
q i [illegible] requiritur causa in
[illegible] de [illegible] [illegible] et i
[illegible] et ubi alimentorum q [illegible]
iudex pruuidet aliq alimentandum
qui negatur filius non [illegible]
filius et ubi [illegible] [illegible] cuius fuit
[illegible] et [illegible] [illegible] [illegible] dubii [illegible]
[illegible] [illegible] [illegible] restituet [illegible] [illegible]
restitutos et [illegible] queritur [illegible]
de cuius [illegible] vel agitur petitorio
[illegible] [illegible] lite pendente
[illegible] [illegible] debeat alimentari et
fructus [illegible] [illegible] de [illegible]
[illegible] quos q si [illegible] plebem
no debz alimentari q [illegible] [illegible]
[illegible] peregrinus no [illegible] [illegible]
ff. de [illegible] [illegible] [illegible] [illegible]
i. de [illegible] [illegible] et ego. Sz si n[on]
quirunt [illegible] longum tractum [illegible] ali
mentabitur Sz si [illegible] [illegible]
de [illegible] iusto titulo restituet [illegible]
[illegible] [illegible] [illegible] [illegible] bone fidei
[illegible] [illegible] ut q [illegible] restitutus [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] no habebat q [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] si aliqua [illegible] [illegible]

[illegible] [illegible] [illegible] q [illegible] [illegible]
a qua [illegible] [illegible] [illegible] [illegible]
tenebuntur ad restitutionem fructuum
qui [illegible] potuerunt. q [illegible] [illegible]
[illegible] [illegible] de [illegible] [illegible]
[illegible] [illegible] lite pen. no [illegible] [illegible]
bone fidei [illegible] [illegible] et [illegible] q aliquibus
de [illegible] [illegible] q no [illegible]
ad illos q [illegible] [illegible] [illegible] [illegible]
[illegible] Alii dicunt q [illegible] prim
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] q [illegible] ut .i. de
[illegible] [illegible] et ut lite pen. c. i. q
[illegible] [illegible] [illegible] si [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
adversarium [illegible] [illegible] restituatur
ut ubi In glo. [illegible] ubi
defendebat [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] In glo.
[illegible] ubi [illegible] [illegible] dic ut
ubi dixi [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]
ad [illegible] vel [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et no [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ubi [illegible] [illegible] [illegible] q [illegible] [illegible]
[illegible] [illegible] [illegible] vel no [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] eligere
ut alie [illegible] q incipiunt [illegible].
[illegible] [illegible] [illegible] [illegible] ut q
[illegible] [illegible] et petit sibi [illegible]
fieri [illegible] [illegible] [illegible] et [illegible] [illegible]
[illegible] Requisitus [illegible] requirit [illegible]
[illegible] actione [illegible] [illegible] [illegible] alibi
[illegible] [illegible] [illegible] [illegible] de [illegible]
c. i. Et alibi [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible] [illegible]
q eligit petitorium [illegible] no [illegible]
[illegible] [illegible] [illegible] distinguitur [illegible]
qua [illegible] [illegible] pendente petitorio [illegible]
ad possessorium [illegible] [illegible]
no [illegible] excludit [illegible] [illegible]

de re[stitutione] ... alia[m] [illegible] c. 2

et stati[m] [illegible] aut .i. [illegible] quod et [illegible]

l. cum fundum [illegible] ff. de [illegible] vi ar

et [illegible] [illegible] quod predicta vendicatur .i.

vendicare incipit cum quis .i. q. [illegible]

tunc ut qui spoliaverunt vel [illegible] vel

vel [illegible] [illegible] [illegible] [illegible]

que si exceptio .i. quorum [illegible] [illegible]

planum et cessat quia glo. [illegible]

.i. [illegible] hos. [illegible] [illegible] [illegible]

de duobus [illegible] [illegible] [illegible] [illegible]

in hac [illegible] .i. admittendo possessorium [illegible]

dente petitorio expedire actori et

iudicarie equitati [illegible] .i. violentis

presumptionibus [illegible] quod est [illegible] ff. de

dolo l. dolo de [illegible] c. ii [illegible] [illegible]

quas [illegible] [illegible] ut [illegible] de [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] alicui

loquitur [illegible] [illegible] [illegible] iniquitas [illegible]

[illegible] non sufficiat est si de illa

constet vel constare possit ut petitorium

suspendi possit et ad [illegible] re

[illegible] non apparent [illegible] [illegible]

malicia vel [illegible] [illegible] alia [illegible] et

[illegible] [illegible] spoliatus qui [illegible] [illegible]

petitorio [illegible] dicebat hos. quod si [illegible]

[illegible] [illegible] favor [illegible] spoliatoris

non tamen fit [illegible] [illegible] favore [illegible]

iudicii equitate [illegible] [illegible] [illegible] inter

et [illegible] [illegible] [illegible] fuit [illegible] [illegible]

malicia cum [illegible] [illegible] ut [illegible] [illegible]

[illegible] dominium [illegible] ut [illegible] [illegible]

[illegible] vel [illegible] fine [illegible] testes

[illegible] [illegible] tamen [illegible] [illegible] [illegible]

[illegible] [illegible] in petitorio [illegible] [illegible]

quod iudex [illegible] [illegible] [illegible] interrogare

agentem ne [illegible] [illegible] dubio [illegible]

Item quod [illegible] [illegible] de petitorio ad posse[ssorium]

[illegible] Item [illegible] [illegible] in [illegible] et

[illegible] [illegible] [illegible] ad petitum non [illegible] de

[illegible] [illegible] c. ii et ibi [illegible] Item

quod de iure canonico in [illegible] [illegible]

de [illegible] in [illegible] cum [illegible] [illegible] [illegible]

de [illegible] [illegible] Item leges alegari

in [illegible] [illegible] de [illegible] [illegible] [illegible] c. i. Item

[illegible] [illegible] [illegible] [illegible] de [illegible] in [illegible]

cum [illegible] Item equitatem [illegible]

rigori de [illegible] c. [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] et [illegible] [illegible] [illegible]

petebam me declarari dominum fundi de

[illegible] [illegible] me facilius posse [illegible] age[re]

de possessorio ad illud volo transire et

suspendatur petitorium [illegible] [illegible] quod [illegible] [illegible]

[illegible] [illegible] [illegible] petitorio [illegible] [illegible]

[illegible] [illegible] quod [illegible] [illegible] [illegible] [illegible]

[illegible] testibus vel [illegible] [illegible]

possit [illegible] [illegible] [illegible] [illegible] [illegible]

de [illegible] in [illegible] [illegible] [illegible] et c. cum [illegible]

quod [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible]

[illegible] probationibus [illegible] [illegible] [illegible] non possit

cum non [illegible] nisi [illegible] [illegible] [illegible]

[illegible] est ut in [illegible] [illegible] [illegible] est [illegible]

[illegible] [illegible] [illegible] [illegible] alie [illegible] ut

[illegible] remedium restitutionis in dubium [illegible]

ff. de [illegible] l. [illegible] [illegible] l. [illegible] et de [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] et [illegible]

in c. [illegible] [illegible] de [illegible] quod lex non [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] et c. [illegible] quare [illegible]

[illegible] ad possessorium recuperande [illegible]

[illegible] et [illegible] spoliatus [illegible]

ad [illegible] interdicta [illegible] [illegible] [illegible]

[illegible] quod facilius [illegible] et [illegible] [illegible]

toris interest ut lites cito [illegible]

ut quidam extimaverunt ff. [illegible] [illegible]

[illegible] [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] possessoria [illegible] ad [illegible] et

quod [illegible] alius [illegible] [illegible] intelligere quod [illegible]

[illegible] [illegible] de interdictis [illegible] [illegible]

[illegible] et [illegible] [illegible] [illegible] [illegible]

[illegible] posse [illegible] in alius quorum [illegible]

[illegible] de [illegible] [illegible] ut [illegible] domini

et [illegible] l. [illegible] [illegible] [illegible] glo.

[illegible] [illegible] [illegible] [illegible] dicitur re

[illegible] [illegible] [illegible] [illegible] cum [illegible] alie

[illegible] possint [illegible] [illegible] non restat

nisi [illegible] [illegible] in petitorio ut [illegible]

in textu et [illegible] [illegible] [illegible] finiri

ne [illegible] possessoria [illegible] [illegible] petito

[illegible] et ne [illegible] fraudibus [illegible]

q in teligit hoc q unde agis petitorio
q non probante in petitorio et videns
summarium fore ad adversario vel testes
sua facte in possessorio ut plene petitorium
q resp. s. de testi videns s. n vel vides
q nemo erit appellatus ad in peducat
illa possessione vel possessorium in tentare
Est et alia ro q petitorium terminat ad
se possessorium ut s. e. apparo ff de publi
l. n. postea excipit iii in argumenti
fraudare in quis in casoris subtrahere
facilius plu eum vel malicia q in tali
ubi dicitur ut sufficeret alterum probare
vel malicia vel subtractione ar q
q utrumque requiratur et unus q non
q probatur spoliatio quam probaretur
q probatur spoliatio de malicia est si fuit esset spoliato de
re ipsa q in habet non sibi dici in
non puniit plus sibi dicere ut l. si
quis mutuum et ubi et l. expectat
ff qui metus et probabiliter q ex subtractio
dolose fuit vel eum ut q proponit ig
ne in domo vicini et eum q burstur
ex facto suo domus mea in qua fuit in
ferri. ar que ar. in volebam vel ma
licia ut q furto subtraxit in forma
vel incendium ubi erunt cui infrendum
proponit agere Juste dicit iii de b
monet equites ar de quo fuit pone
xo. ar c. quam fre in prius ut hic nuper
et dicit ut ibi dixi — In glo. n
ibi supra secundum si est possessione fit q
amissio ut dicat de seq. ar. — ala
ubi si de expiatione de his loco cum expp
ffe deligas in habent delicto ne
cog. de possessione vel q ibi plu-
aparet tum erat petitorium et primo supp
possessione vel dicit q sunt supp expiatione locum
non ob agere volenti de possessione
In glo. ad in tertium. volo q attendas
q aliquis fuit incendit generica non
dominum ut neq in loco sacro ar
Quedam generit non quidam et hoc
q generit bo q non fuit in alicuius
bonis ut de liberis exhibendis

ubi adipiscendi ... [illegible]
... [illegible]
... [illegible]

Quedam generit una publica ut neq
in loco publico vel flumine publico
Quedam generit una privata et hoc q
privata unius q. privata plurium
et de his hic — Est alia divisio q
q prohibitoria q exhibitoria q resti
tutoria Item q simplicia q duplicia
Item generantur bo. privata privatarum
q sunt adipiscende q recuperande
et q retinende q q sequitur ut in
glo. et q continentur ff. de inter
dictis l. i. et ii. ut ibi quorum bonorum
i. de iure civili competit filio ad
dictam hereditatem petitor q. detentatores
bonorum et dicitur adipiscende q
adipiscitur de novo possessione q
nunquam habuit ut ibi quorum legatorum
Item datur heredi q legatarium q
invito al. tantam hereditatem legata
apprehendit ut ibi salvianum item
datur domino q rebus quas colonus
vel inquilinus in recepit alias in
reperit in fundo ne suam possessionem
amittat unum si fuerit expoliata
et fuit adipisci propriam aliam ar salvi
num in eodem sit dominus ab auctore
q erit sibi tantum obligate ut
ibi unum ea item datur q in mobilibus
si q immobilibus datur in eodem ver
bonorum respectu et hoc in corporalibus
ar in corporalibus datur utile
de c. te quelam et l. uti possidetis
q datur in corporalibus et mobilibus
ut ibi utrobi q datur q mobilibus
in corporalibus datur utile ut dicit
... de ... et de his
plene dicit de plura licet ut ibi igno
ratur non ob q quis non possit ig
norare suum aparatum q ex prius
sed ar alium vel ignorare facti potest
alterius et ibi ille ut lau ... ibi
... que q. in medicum quod
duo capita sunt q non impediatur
reficere iter si ex hoc capite in
tenetur expediat q pleniter possessio
s. q movent ar. expo. duo

Sed si ulterius [illegible] ... [illegible]
[illegible] ... [illegible]
[illegible] ... [illegible]

[illegible] ... [illegible]

dicit [illegible] pti tertio fuerunt uel ex
cepto uel exceptionem interuenit
et ubi [illegible] deuenit quia petito
ex exhibitione testium quia exhibitur pre
ca ligata uel agit [illegible] petitione
[illegible] glo [illegible] exceptio [illegible]
[illegible] que [illegible] quarum quandam non ad
quandam [illegible] tractatur in
[illegible] glo [illegible] quod et [illegible]
possessorium intercedit [illegible] ut glo
[illegible] colluendi [illegible] an
petitorium et possessorium possunt simul
intentari — Casus [illegible] ad [illegible]
de duabus [illegible] quia ubi resti
tutus [illegible] et [illegible]
[illegible] intendit quod ad possessionem resti
tuitur [illegible]
[illegible] loquitur in [illegible]
[illegible] quod [illegible] non [illegible]
[illegible] in [illegible] ad
[illegible] quod ubi agebatur
de iure eligendi [illegible] quod ubi [illegible]
[illegible] de [illegible] et possessione et
[illegible] quod [illegible] habe
bant [illegible] in
[illegible] quod de iure [illegible]
[illegible] eligere [illegible] aliud
de [illegible] esse introductum [illegible]
non [illegible] quia non [illegible]
et [illegible] ad [illegible]
[illegible] de re iudicata et [illegible]
de [illegible] — Casus [illegible] de
[illegible] quo et [illegible]
[illegible] instantia [illegible] actor [illegible]
[illegible] ad finem [illegible]
dicitur quod [illegible] loquitur [illegible] non de
[illegible]
[illegible] petitoria et [illegible]
[illegible] possessorium [illegible] loquitur
[illegible] uel [illegible]
[illegible] et [illegible]
[illegible] ad aliud [illegible]
[illegible] — Casus [illegible] quod [illegible]
[illegible] possessione et [illegible]
possessione et [illegible] pe
[illegible] petitorium

[illegible] quod non [illegible]
[illegible] non [illegible] actor
non [illegible] ad [illegible]
in petitorio quia [illegible] quia [illegible]
[illegible] possessionem [illegible] restitutus
[illegible] quod sufficiet [illegible] ut de
[illegible] et [illegible] et si actor [illegible]
[illegible] cum [illegible] et [illegible]
in [illegible] in iudicio petitorio [illegible]
non [illegible] absolutus et actor
[illegible] in [illegible] uel [illegible]
[illegible] — Casus [illegible] cum in [illegible]
[illegible] in petitorio si [illegible] restitutus [illegible]
[illegible] actor [illegible] de [illegible] et
[illegible] quia [illegible]
[illegible] testium [illegible] esse melior
[illegible] spoliatoris quia si [illegible]
in [illegible] non in spoliatore [illegible]
[illegible] si [illegible] spoliauit [illegible]
[illegible] — Casus [illegible]
petitorium et possessorium [illegible] simul [illegible]
[illegible] exceptiones [illegible]
[illegible] ipsa [illegible]
[illegible] et [illegible]
[illegible] et de [illegible] petitorium [illegible]
possessorium et [illegible]
[illegible] cumulate [illegible]
[illegible] de possessione [illegible]
et [illegible] possessorium [illegible]
et petitorium [illegible] et [illegible]
[illegible] non possunt [illegible]
[illegible] de [illegible] in [illegible]
[illegible] ut ubi [illegible] non
[illegible] non [illegible] in
petitorio [illegible] quia [illegible] de
[illegible] non [illegible]
in [illegible] — Casus [illegible]
non [illegible] in [illegible] de [illegible] in
[illegible] absolutus [illegible]
[illegible] in petitorio [illegible]
[illegible] possessorio [illegible] ut [illegible]
[illegible] qui [illegible]
[illegible] in [illegible]
[illegible] non [illegible]
[illegible] absolutus [illegible]
[illegible] in petitorio

finis sententia absolutoria in petitorio non debet differri possessorium adipiscende uel ob except. Dum si insequenti probetur ff. ad exhibendum l. in eiusdem. Si autem esset in petitorio conclusum et sic quod statim proferretur sententia absolutoria tunc non admittitur generale possessorium adipiscende de quo dictum est c. p. et p. ut c. figure uncus cumulas. Si autem agens petitorio uelit accumulare possessorium recuperande tunc admittitur secundum quosdam glo. ff. de ui et ui armata l. cum fundum et cessant eos regule in predictis quod uerum non sit ad conclusum in petitorio ut hic in fine.

Quod autem accumulatio obstare uidetur non ordinis sed meriti est uel quia pertinebat bonorum petitio in petitorio nisi in possessorium discussione possessorium ut quo stet quis possidet et sic dicitur quod reus conuentus possessorio recuperande possidet uiolenter quod ipse habuit et ita possessio non releuat quod ab eo in pos. ff. de proba. l. ii. uiuus ei et uiuo quod non possidet uiolenter et tunc releuat C. de remedijs l. si et uidetur quod non ordinis obiicit. Si quod opponens petitorium et possessorium recuperande uelit prius uentilari et non est dubium quin procedit et cessat obiectio quod dicitur non debere prius in petitorio quod reus possidet uiolenter et tunc possessio petitorio proceditur solum in possessorio ut appareat cui incumbat bonorum probandi ff. de lib. cau. l. liberis § si.

Quod autem intentans petitorium uelit accumulare possessorium retinende tunc quod accumulare non intentu incorporalium quod aliquis apponitur uel interim in possessorio competit in tertio retinende ff. si seruitus uendicetur l. si tantum quod ancipiti tunc querit uendi possidet sicut dicitur me possidere in alio uerum possideret et possessoria quod quidem dicitur possessoria ff. si fundum uendi l. si et si forte si secundum ff. si seruitus petatur § f. ius fructum quod in dubio generale ubi agens uelle probare in uero quod medio presumpte bonorum probandi. Si autem ut possessor uelle retinendi bonorum probandi in petitorio uno non in si tantum quod si constat

ff. si seruitus uendi tunc uero ordinis prius debeat expediri possessorium. Si autem quod incidenter opponitur quod rebus corporalibus tunc aut diuersis respectibus ut puta egi remedio uero nullus possessorio quod est capitulum de re possidetur ago uti possidetis uero cumulis quod hoc quod intendis uel ago remedio uero decennis quod est capitulum de et possidetur ago uti possidetis uero cumulis et nullus quod hoc tunc ista duo concurrunt nec cessant regule in predictis. Si autem opponitur eadem in tunc quod dico possessione uero cuius intento uti possidetis in ipsa prius quod apposui petitorium et ista concurrunt et est casus in l. naturaliter § nichil commune cum ff. de acquirenda possessione. Si ago uero possessorio quod dico me uinisse quod in possessorio tenendi petitorii et tunc quod possidet ut quod me ipsum et sciebam me possidere et tunc non concurrunt quod surgit concursus tunc uendicans se dicit se non possidere intentans uti possidetis et quod possidebam quod aliam uel ignorans eam me possidere quod intentando petitorium non remittitur possessorio et tunc si intentando possessorium dicas me possidere tunc concedit tunc super altero uti competit apposito si non competat. Si autem conuentus concedatur me possidere tunc tenetur uidetur non remittere petitorio ut l. naturaliter ff. uel in § nichil § tertia lectura de quo dicitur solum super possessorio et quod cedetur ut fuit in interesse ff. uti possidetis l. si duo in fine. Si autem reus negat me possidere tunc non uidetur remittitur petitorio non tamen proceditur super uiolenter. Si possessio petitorio proceditur in possessorio ut l. meriti et l. ordinarii et l. si de uendi hic alleg. in glo.

Hic opponens ista ratione dicunt non posse procedi sicut uero ordinis non autem uero concurrentis. Si non concurrens in pedit nec sicut proceditur si uero

ordo ut si prius in possessorio et postea in petitorio [illegible] procedit cumulative intentat petitorium et possessorium. accumulan[illegible] ... alii sit q[uod] [illegible] q[uia] prio[r] intentat possessorium et postea petitorium accumulando et tunc [illegible] alii posse[ssorium] nunquam fuit adipiscendi et procedit [illegible] ... non tollitur ut l. si [illegible] de colla[tionibus] ... et [illegible] libelli absolutoria relata in possessorio non parit exceptionem rei iudicate in petitorio ff. de except[ione] rei iudi[cate] l. et eadem [illegible] ... possessorium recuperande et tunc [illegible] ... actor [illegible] ... [illegible] ut l. [illegible] de [illegible]
[illegible] fuit possessorium retinende [illegible] ista duo iudicia [illegible] corporalis et tunc [illegible] ut [illegible] rei et corporalis et tunc [illegible] duplex ut [illegible] et [illegible] eadem [illegible] et tunc [illegible] petitorium [illegible] loco in [illegible] possessorium [illegible] ... possessorium [illegible] ... [illegible] possessorio et tunc [illegible] possessorio [illegible] ... et tunc procedit [illegible] ... possessorium retinende [illegible] ... [illegible] de interdictis [illegible] ff. [illegible] et [illegible] procedit [illegible] possessorium et post petitorium [illegible] ... possessorium et tunc [illegible] petitorium et possessorium adipiscende vel recuperande et [illegible] ... [illegible] possessorium retinende et tunc [illegible] ... et [illegible] rei corporalis et tunc [illegible] duplex [illegible] procedit ut [illegible] eadem [illegible] et [illegible] ... [illegible] possessorio et [illegible] petitorium et possessorium. [illegible] ... [illegible]

petitorium et alius [illegible] possessorium et tunc [illegible] possessorium recuperande ut [illegible] ago [illegible] et tu agis [illegible] recuperan[de] [illegible] vel [illegible] possessorie recuperande et tunc [illegible] agis [illegible] violentie [illegible] ... et procedit [illegible] ... [illegible] recuperande [illegible] violentie [illegible] iudicium petitorium et tunc [illegible] duplex [illegible] ut [illegible] possessione [illegible] ... tu aut[em] [illegible] ... [illegible] tunc procedit ut l. [illegible] ... [illegible] et tunc [illegible] ... petitorio [illegible] et tunc procedit [illegible] possessorio [illegible] petitorio [illegible] ... [illegible] et [illegible] ... petitorii [illegible] ... ff. de rei vendi[catione] l. si [illegible] ... [illegible] in petitorio [illegible] ... possessorium tunc [illegible] ... possessorio [illegible] ... et tunc [illegible] ... [illegible] recuperande [illegible] petitorio [illegible] ... [illegible] ... [illegible] in [illegible] ... [illegible] ... [illegible] ... [illegible] ff. de except[ione] rei iudi[cate] ... [illegible] ... [illegible] ... [illegible] petitorio [illegible] ... ff. de rei vendi[catione] l. si [illegible] ... et tunc [illegible] ... [illegible]

tentum est. Aliud apparet in eodem remedio
et tunc ad diversos respicit et provi-
det utrique interdicto. Tertio si quis agit
utrubi sicut actor ipsum turbat
non tamen quia actor se possidere conten-
dat contra. In quo hoc interdictum
ff. uti possidetis l. si duo quod ne vim fiat.
Quarto agit reus utrubi sicut [illegible]
eiusdem possessionis propter quam queritur ut
quod actor asserit se possidere et tunc de
ea possessione quam habeat dominus intenta
cum petitorium et tunc possessorio petito-
rio proceditur in possessorio quod actor
est possessor. Tertio vero ordinis proponitur
possessorium tertio sic tertium est actore
possessore. remittitur cum petitorio ut quod [illegible]
Quarto autem [illegible] tertium locum dicit assere-
re se possidere possessione possessorum acquisita et
tunc potest utrumque preferre ut quod [illegible]
quinta locum. Aliud et quinto
contingit quod unus primo intentat possessorium
et alius petitorium et sic [illegible] et tunc
si prius fuit intentatum possessorium re-
cuperande et tunc aliud proponit petitorium
eiusdem modi agendi et non potest quod in contrario
modum agendi et non potest quod in continenti
possessorium recuperande negat se possidere
quo non queritur ff. de rei vendi. l. si
quo non queritur ff. de rei vendi. l. si
Tertio quod [illegible] autem est restituendus
de rebus suis. In hoc et tunc cum quis
restitutione expectando et tunc ille
qui agit possessorio vult de suo
petitorio cognosci et non procedit peti-
torium. Adde quod de petitorio
cognoscitur et procedit de rebus suo
cognoscitur. Quod possessorium prius intentatum est
adipiscende et tunc petitorium post
intentatum est diverso vero et procedit
eodem vero et non potest. quia ille qui possidet
illud interdictum negat se possidere quo non
[illegible] ff. de rei vendi. l. si [illegible] hoc fieret
per possessionis primo apparet. Si autem possessorium primo
intentatum fuit retinende tunc et ille qui
apparet secundo petitorium agit diverso vero
et procedit ambo. Aut agit eodem vero et
tunc non concurrit et prius cognoscitur de
possessorio per [illegible]. Aliud contingit in sexto

quod unus apparet petitorium et alius possesso-
rium sicut ab eo pro [illegible] et tunc quia
sit possessorium de illo prius est cognoscendum
ut nota glossa C. de interdictis l. certe
et hoc applicatur utrubique in [illegible]
di recuperande et petitorii et in [illegible]
in tertio adipiscende et petitorii
Quarto in [illegible] retinende vero diversis
respectibus ut s. Aliud et sexto quia
uterque apparet petitorium et possessorium
qui asserit se possidere et de [illegible]
tunc [illegible] et ordo primo
[illegible] possessorium ff. uti possidetis
l. i. § hoc autem ff. de [illegible] l. inter
litigatores. Quarto primo an possessorium
et petitorium possunt simul intentari
in hoc sunt tres opiniones. Una est
[illegible] et [illegible] qui dicunt neutrum
possessorium concurrere cum petitorio
immo dicunt preponi possessorium
[illegible] C. de [illegible] l. si de [illegible] C.
de interdictis l. [illegible] C. de
[illegible] l. ordinarii extra de causa
possessionis et proprietatis l. ij. Secunda fuit
opinio mar[tini] qui dicit petitorium et
possessorium retinende non concurrere
[illegible] possessoria con-
currere cum eis non possunt [illegible] ut ff.
de [illegible] et C. [illegible] l. [illegible] l. cum fundum
et [illegible] opinio [illegible] et glossa [illegible]
in [illegible] l. si de [illegible] [illegible] l. i.
[illegible] allegata unde ut ibi notatur
Tertia fuit opinio petri qui dicit quod
[illegible] in capite suo potuerit et
dicere quod petitorium non concurret
cum possessorio [illegible] quod petito-
rium [illegible] cum possessorio in [illegible]
[illegible] lege et ratione. Primo quia tunc
quis cogitur una actione eligere qua
agatur [illegible] ut l. [illegible]
quotiens ff. de re iud. [illegible] possessio
et proprietas sunt diversa ut in [illegible] uti
possidetis l. si duo [illegible] quia tunc
non committitur concursus diversarum actionum
[illegible] absolutoria [illegible] in una
[illegible] exceptionis [illegible] in alia
ut ff. de except. rei iudicate [illegible]
[illegible] hoc inducat [illegible]
C. de [illegible]. [illegible] lege [illegible] et l.
ordinarii et [illegible] [illegible]

q nl [illegible] i pedit cu cessit ois r.
i pediens ut C. q(uod) [illegible] est [illegible] ordo
litis bn impedit q(ui)a si uult vtriq(ue)
modo possessionis [illegible] q plus declara(n)
q sit possessor [illegible] appareat p(ro)
petitorio et rei et ista(m) op(in)io(n)e(m) [illegible]
cyn(us) ce [illegible] [illegible] ob ca(usam) ut ip(s)e
refert in l. [illegible] ubi ista opinio
ne [illegible] [illegible] ista opinio pc no(n) [illegible]
[illegible] de iure [illegible] no(n) solu(m) ordo [illegible]
[illegible] r. impediens [illegible] seu
concursu duplex actionum erit [illegible]
i [illegible] petitoriu(m) et possessoriu(m). [illegible]
in [illegible] impedientes [illegible]
[illegible] si [illegible] tollat(ur) [illegible]
si absolutoria [illegible] i. [illegible] excepcio
[illegible] rei iudicate. In [illegible] ut [illegible]
p(er) dyn(um) i. c. n(on) [illegible] et [illegible]
i l. [illegible] [illegible] adest cu(m)
[illegible] petitoriu(m) et possessoriu(m) [illegible]
de eo r. ut. C. de [illegible] e. [illegible]
pt [illegible] q(uod) excep(ci)o tollitur et no(tatur)
p(er) glo. C. de [illegible] l. si q(uod) [illegible] ut
[illegible] si [illegible] sciens
me [illegible] [illegible] possessorio
et p(er) [illegible] possessorio [illegible]
[illegible] tollitur. [illegible] r. [illegible]
[illegible] absolutoria [illegible] i pe
titorio [illegible] excepcionem rei iudicate
i possessorio i [illegible]. [illegible]
ut plene dicit i c. cu(m) [illegible]
pt addi [illegible] r. i pediens [illegible]
p(er) [illegible] actionis. [illegible] actor [illegible]
[illegible] q(uod) petebat i possessorio [illegible]
[illegible] iudicio [illegible] n. admitte(re)
concursus ut in [illegible]
actio i [illegible] q [illegible] actio possessorio
et petitorio et e [illegible] i l. [illegible]
[illegible] ff. de acquir(enda) possessione [illegible]
[illegible] [illegible] pt ee [illegible]
r. impediens [illegible] duplicacionis
[illegible] actionis [illegible] ut [illegible]
[illegible] [illegible] in [illegible] l. [illegible]
[illegible] i [illegible] r. i pediens [illegible]
ordinis. [illegible] [illegible] [illegible]
q(uod) no(n) solu(m) ordo iudicii [illegible]

[illegible] [illegible] [illegible] i pedit [illegible]
petitorii et possessorii [illegible] i. [illegible] [illegible]
et [illegible] [illegible] et [illegible] [illegible]
ee [illegible] [illegible] q(uod) [illegible]
no(n) e [illegible] [illegible] i [illegible]. [illegible]
[illegible] [illegible] in quibus [illegible]
iudicia [illegible] no(n) concurrere [illegible]
q(uod) opponatur excep(ci)o. An si no(n) [illegible]
iudicia [illegible] [illegible] [illegible]
absolutoriis [illegible] q(uod) [illegible] iudicia
no(n) [illegible] [illegible] ordinis ut [illegible]
et ipso [illegible] si no(n) [illegible] iudicia [illegible]
[illegible] et valet ut C. de [illegible] l. [illegible]
[illegible] [illegible] et ibi no(tatur). C. [illegible]
l. [illegible] et e [illegible] de [illegible] cu(m) [illegible]
[illegible] ipsa [illegible] [illegible] excep(ci)o [illegible] no(n)
concurrunt q(uod) absolutoria [illegible] i [illegible]
[illegible] excep(ci)o rei iudicate [illegible] alio et ipso
[illegible] [illegible] [illegible] excepcio [illegible] [illegible]
iudicia ut l. [illegible] et l. qui [illegible]
ff. de excep(ci)o [illegible] [illegible]
[illegible] glose [illegible] i pediunt [illegible]
[illegible] tollit(ur) et [illegible] [illegible]
iudicia [illegible]. [illegible] [illegible] [illegible]
[illegible] = [illegible] [illegible] [illegible] [illegible]
[illegible] iudicium et [illegible] [illegible]
[illegible] ee [illegible] [illegible] ff. quor(um) legat(orum)
l. i. [illegible] [illegible] n. [illegible]
[illegible] admittitur concursus [illegible]
[illegible] [illegible] qui [illegible] [illegible]
[illegible] [illegible] C. de [illegible] excep(ci)o l. si
et q(uod) ibi no(tatur) [illegible] [illegible] cynus
C. [illegible] de lega(tis) l. si i prin(cipio) [illegible]
[illegible] ubi [illegible] q(uod) debere cogi ad elige(n)
du(m) [illegible] i [illegible] no(n) [illegible] = [illegible] [illegible]
[illegible] [illegible] [illegible] no(n) e [illegible] [illegible]
excepcio [illegible] cu(m) [illegible] iudiciu(m) [illegible]
[illegible] [illegible] [illegible] fuit ipso iure [illegible]
[illegible] ut C. de [illegible] l. si [illegible] i
[illegible] si [illegible] experitur [illegible] [illegible] oppo(ne)
excepciones [illegible] si [illegible] [illegible] [illegible]
[illegible] ut acta primi iudicii i [illegible]
[illegible] [illegible] acta [illegible] [illegible] [illegible]
no(n) [illegible] i alio iudicio nisi [illegible]
[illegible] [illegible] [illegible]

C. de eden. § sed cum leuitati in dicto quod nisi
si aliud presumeretur quod iudex de suo
suppleret quod est plenum. Et quia in pendet
concursus non est contumacialiter et dic-
tis quod contestatione apparet in uno eodemque iudicio
et in diversis iudiciis seu in processibus
primo casu potest iudex ex officio suo respu-
ere libellum ut l. i. ff. de off. eius cui mandata
est et quis potest opponere ut expellatur
actor ut l. i. C. de furtis. Et si
reus vel iudex nichil dixerit sed
processum est super dicto libello continente quod
tur et in processu continetur quod
si absolutio est parte non opponente
ipse non se excusat ut l. a. quod si si
alius ff. quando appel. sit C. de fide in-
strum. l. scriptione ff. de re iud. l. ubi
repugnantia. Si vero processus non
continet quod sed in eo videtur parte quasi
elegit tum et processus et super eo erit
iudicandum arg. dicte legis a. quod
aut ff. quemadmodum legat. in duobus ut a
na sibi licet in actionibus contrariis ut not.
glo. in l. i. C. de fur. et arg. dicte legis
similis C. de dol. except. sed in parte
sibi reus qui non opposuit. Sed quando
est contra contineat apparet ex diversis in
diversis seu in processibus tunc. Et ista
via inveniuntur duplex opinio. Et sic et
eadem ipse primo casu dic quod quaeritur sit quia
quod in eodem tollitur tunc est in tractu
in illum quasi difficile non tollatur ipso
iure in ipso exceptionis de quo per eum
C. de fur. l. i. in b. que. In diversis
tollitur ope exceptionis et nota quod op-
ponatur exceptio si ipso iure [illegible] tunc de
[illegible] in diversis in [illegible] quod eodem tollatur ut
[illegible] in dicta l. i. C. de fur. et potest poni exemplum
in hac materia eo casu quod eligendo petitorium
[illegible] videtur ad possessorium renuntiare ut
[illegible] quod non
tollitur electio simpliciter sed [illegible]
iudicium renuntiatur [illegible] ff. de inof.
l. si filius in fine et in [illegible]
[illegible] allegata sed contra [illegible] tunc in primo

iudicio cui videtur renuntiatum de. Et opponi exceptionem
[illegible] renuntiatione contentum ut C.
de par. l. prima [illegible] et ff. de. [illegible] l. non solum
§ si libertatis et ibi no. Si vero in
[illegible] et eodem ipse tunc est in
tractu [illegible] an contrarius in pendentia
[illegible] an solum exceptionem
si in pendentia [illegible] § [illegible] C. de
fur. l. a. in quantum quod non est necesse quod
opponatur exceptio. quia non competit actio in [illegible]
[illegible] in [illegible] et [illegible]
in [illegible] pur. Si vero non in pendentia
[illegible] sed solum exceptionem tunc [illegible]
[illegible] glo. i. in dicta l. de fur. quod tunc
debet opponi exceptio. quod actio non elidit
[illegible] sibi imputet qui eam non opponit
ut C. [illegible] non posse. l. [illegible]
[illegible] de plus l. except. Item
quo hac casu exceptionis opponere. Sed
[illegible] in possessorio requiri-
tur [illegible] et non ut [illegible]
[illegible] possessorio [illegible]
ad [illegible] glo. [illegible] quod requiratur
[illegible] C. si per vim vel alio modo
l. fi. in ultima glo. [illegible] de [illegible]
[illegible] ff. de [illegible]
[illegible] l. [illegible] et [illegible]
[illegible] publicam. §. Item
[illegible] et [illegible]
et glo. quas ipse allegat. Sed [illegible]
[illegible] iudicium possessorium non [illegible]
quod per [illegible] certam et tunc [illegible] quod
non requiritur [illegible] ut C. de [illegible]
[illegible] l. fi. [illegible] quod cer-
[illegible] per [illegible] et tunc [illegible] quod requiritur
[illegible] in iudicio [illegible]
possessionis [illegible] de [illegible]
[illegible] et ff. de [illegible]
[illegible] l. i. § [illegible] et ibi not.
et ff. [illegible] l. i. in fi. et ibi no.
in i. glo. [illegible] in iudicio [illegible]
ut ff. quemadmodum legat. l. fi. et ibi no.
in [illegible] glo. [illegible]
de ut in dicta l. fi. C. si per vim vel
alio modo et ibi no. [illegible]
[illegible] glo. ff. de vi et vi ar-
[illegible] l. si [illegible]

gubernatio ut no ff de tabu. exhibe. l. licet q tabule i glo q e supra ro detinet. ff. v. plit. i possessione q dr ex i edicto carbonia ubi. n. h. missus constituitur prior ut no. ff. de carbo l. iii q missu eni illius imediate titulo succedit ut l. iii q ce e uq. ro tacitur fauendi ut l. iii q cc. e. tit. ro iii. pt ce de. p̄ma fauore pupilli q et gilat. ff. de bon. i poni. l. i. no. ql. f p̄dte possessionis gmodi ut illas uidee p̄dt adueniente pubertate uideat ut ff. de carbo l. si de bono q fa. ste illud q dr. wil. q rea q autem pro uia. ad diffinitua lite no gtpa. e p. q. lege tertia q ple ff. de li. hoie exhiben. si ipe mit q ubi io e q. uo pacite possessio hic cuius rei pe rite q. liber ho si istud it e q. parende hic istud f q i te vide in pe. tebitur si q liber ho exhibebitur et dimittatur nisi tu dicis liberum hoiem tibi no apparere si istud esse diuinare ste o q. glo l. si. C. si f vi uel alio mo ste q. istud q no. ff. de ope. nom. nunc l. si pruis i bona glo q e addic. et q not. arg. i statu hic possi i si. et cuius. C. uti possi i si. qui dicit q reo gtnitate trasfer i ea hois f hndi no dut f habitur ad eu diffi. ue. Quintus g. gb mim .iii. roes pont no hic. ipe p. q ei possions e maniemenca C. de fin q ei possions e ... C. de fin. aute. io binarie g. t ut C. de fin. aute. io binarie uo pluy. q pt Julianus no. C. si de momentanea pos. l. i. i si. p̄me glo. de. no. q possessio perditur ex negligentia ut ff. de acquir. l. fructu f. i. et ubi no. tuto fortius ex gtutia que proponeret culpe ut C. ad. l. acquil. l. si obstetrix ratio i. mgr. gtigit ex obligatione i inducit defacto q. ex negligentia ut ubi no. q ro hic assit. Octauo probat prima ratio supra possessio nec adqritur nisi lite f. i. appel. de q pacto no. licz tertio ponere q prima possessorium si prima appellatio pt dari lite no q. tel ut. l. si q. i. ff. de qui. ap.

g. y. sexto i. io q. lex gtispattua sunt i ei priu. li aqua gtfic sua redeg. f. app. ut C. de app. l. ut diuini precet ubi e exaudiendo speciali ce ut ubi dr. tex et glo. Jngruu g. ino coe ad fit q nob. Septimo probat q perditur q no legi. fa. C. qui legi. hic l. ma ca. no legi. fa. C. qui lege ... numerationem g. desto bius argu. no babat ad ... lans gtpo. .v.no i. ar. no gtab. no .n. f. ista ei habz bini no gtab. no ... aliud i mo mgf. excludit g. spale g. aliud i mo ingf excludit q. ne duo specialia ut C. de do. qamis l. i. Et exempto q. ipetitoria q ueu gtuiate fit missio i possione et trasfer possio bz ad hoc principal. no agat. Vlto manus i possessorio ubi ad hoc pri. agitur. vno illa possessio de facili gtre q. dum ut l. si quis ... q. ple de possi. xxx anorum plud dcm i i possione carbonia et si deas apter ... magnam pnudi. ... tam apter minia gtutia ut fratri dicat apter minia gtutia trasferdit ad ... Nono probat q gtutia trasferdit ad dnim translatos ut ff. de dep. i fit l. si finita f. fulias et l. si pronis opp. m. ... ad eu^ plalios possessionis. Vno ē apter minia gtutia q. pdit ... si interposita ... et si decretu no. hic et ide fateor q ex pe decreto trasferdr. possio. Decimo ... i possione adipisce de pr. l. si. C. de edic. diui adri. tol. ratio ad illud possessoriu no mite. ... q. pt legitimus gtradictor ut dcm e. Vndecimo probat i possessione recuperanda q lics ... gtngari armis et mea dut. recuperare ut l. iii q cu i. ff. de vi et vi ar. ... i iudice. vno. d. pmittitur ... i gtmuri cu liquet si ce exemplu iudici est hoc permittitur si hic liquens ... liqui no pt uti nisi ... ut l. si. C. si p vim. l. alio mo g. y. Duodecimo probat q hoc gtigit i ea respe i recupe ut ff. de mo l. i ce q. ea cognita. vno. ... q dr. quis C. si ... abstinendi dut si ... i bona que et no ob. q.

Item probat in possessorio retinende nam possessorium retinende sit duplicatum et in eo quis est actor et reus ut ff. de interdictis l. ij in prin. et l. si duo § .v. ff. uti possidetis actore absente sit fieri diffinitio ut de quo et qui iudicis dicit qui sibi possidet uterque dicitur actor et reus. tum ille fugitur partibus actoris quantum adhuc qui prius ad iudicium provocavit ut ff. de iudi. l. inter tribus [illegible] vos licet [illegible] duo extrema s. assertio actoris et negatio rei medio statu cum actor apparet [illegible] et [illegible] sua e [illegible] et ista ratio [illegible] valet quod reo absente impossibile fieri diffinitiva vel dic per l. [illegible] in [illegible] quod [illegible] illa autem [illegible] in duplicibus iudiciis solum in eo qui primo adiudicium provocavit [illegible] [illegible] sic rei [illegible] in effectu [illegible] [illegible] verbis [illegible] Item [illegible] tribus [illegible] [illegible] procedit possessorium et petitorium utrumque dicitur iudicium puto eadem [illegible] terminanda an vero de eo [illegible] [illegible] de quo [illegible] [illegible] [illegible] [illegible] dicit quod eadem [illegible] debet terminari [illegible] ab eo [illegible] [illegible] [illegible] [illegible] [illegible] iudicium [illegible] aliud ab alio [illegible] de or. cog. cum dilectus [illegible] et cing. l. [illegible] [illegible] de interdictis in [illegible] glo. videtur [illegible] quod [illegible] eo iudicio [illegible] [illegible] de quo [illegible] [illegible] [illegible] [illegible] [illegible] utrumque iudicium [illegible] [illegible] interdictum et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non solum [illegible] ubi sunt duo iudicia [illegible] [illegible] unum iudicium [illegible] [illegible] [illegible] cog. [illegible] ff. de iudi. l. [illegible] debet eadem [illegible] terminari [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ut l. [illegible] ff. [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] ff. de iudi. l. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] de or. cog. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] Si vero non [illegible] [illegible] [illegible] partem non [illegible] [illegible]

quod sic non [illegible] Item [illegible] dicit sit effectus utriusque iudicii et [illegible] fiet executio dic ut no. [illegible] de [illegible] l. [illegible] in [illegible] qui [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] cum fine Item [illegible] et [illegible] [illegible] de interdictis exhibitoriis utrum debeant [illegible] petitoria iudicia glo. [illegible] [illegible] [illegible] interdicto de libe. exhiben. [illegible] et [illegible] intelligit quidam [illegible] [illegible] ut ibi no. [illegible] fine [illegible] [illegible] Item [illegible] [illegible] intelligit [illegible] de liberis exhiben. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] possessoriis ut l. ij § [illegible] ff. de interdictis [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] de liberis [illegible] et ff. de libe. exhiben. l. [illegible] [illegible] [illegible] [illegible] [illegible] de interdicto de tabulis exhibendis [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] agi de interdicto ff. de tabulis exhiben. l. [illegible] [illegible] cum dilecti [illegible]

Si agitur petitorio et possessorio [illegible] [illegible] [illegible] [illegible] possessorium effectualiter [illegible] [illegible] [illegible] petitorium [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] quartum [illegible] de [illegible] cum dilectus [illegible] et tertium de [illegible] [illegible] cum dilecti possessorio [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] no. [illegible] de or. cog. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] possessione executioni mandabitur [illegible] [illegible] [illegible] [illegible] et [illegible] eadem [illegible] [illegible] cum certa [illegible] [illegible] [illegible] [illegible] [illegible] terminari [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] Item [illegible] [illegible] possessorio [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible]

i tenet i eadem retinendi respectu
petitis et reus possessor et i quantum
utrumque competit ad interesse i quan
titatis et postea ponitur hic petito
rium et i fine exceptionis fuerit ei
dominium et i fine exceptione fuerit ei
re restitui vel potest alter exemplari
esse i retenta et eadem recuperan
da quia tu abstulisti me contradicente quoniam
te dominum ff. de rei vindicatione l. i. quoniam bona me
possessionem et tu te dominum utrique restituet
me vero si iusta exceptione non
vindicabitur tibi. Vel pone i te
nere i eadem recuperandi quia te et
tu vis possidere te dominum me contradicente
ut ff. de rei vindicatione l. i. = Quaeritur quae
fuit ratio quare dicit accipi iudicia possessorio
quod non fuit possessorium sed pro
prietarium id petitorium non fuit pro
defendenda = et non i finali exceptione
pro petitione premissa quae dignior est ut ff. de
publiciana l. pe. et ult. = Item oppones quod
alicui competit plures actiones vel c.
electio ff. de tributoria l. quae i hereditate
et eligere ff. de furtis l. i. de pecunia c.
bene fidei de ele. ut quis duas e li
bere fidei quia procedit ubi plures actiones quae
ad quae competit ubi ad diversa pertinent
ad eandem rem ubi ad diversa pertinent
hic ff. de acquirenda possessione l. in ...
= Item oppones quod sunt proxime quae obiciuntur
vel super quibus fiunt ff. de testamentis restitu
et reg. nulla ... quae non debet una pars
terminari item non i ... quod si una pars
vel primo i uno eruit ... si dicitur
una ex ... ff. de testi
et l. ... pro ... quod ...
= Item quae ... quod pars ... debeat
ferri quae magis digna est ... ad
se minus digna ... quod ... est
... alia aliquis dicitur magis dignum
non si ... vel ... et tunc
magis dignum ... quia ...
magis dignum ... et ...
... tunc non ... ut l. non dubium
C. de l. et l. ... C. de ... ff. de
... c. i. = Item oppone quod
... quod magis dignum ... i minus
digno ... ubi ...

des dicta ad probatum ...
ubi fit mixtio magis et minus digni et
magis dignum agit i minus non repetitur
et sollt ... si repetatur ut i ...
et ... ut ... quod ... de ...
et vel ... = Item pone quod iste ordo
non ... videtur ne ... dicit lex non quod
iste non i ordo ...
ut ... quod ...
= Item pone ... agit petitorio ... possessorio
ut apparet quod ... de hac ...
... ff. de ... et ... = Item pone
agebam quia te petitorio et possessorio
et simul ... me super utroque tu ap
pellas super petitorio i ... ego
... super possessorio ... quod ... magis
dignum ... minus dignum et ...
... hic ... r. et ...
... hic ... r. dolo
fuit qui petit quod restituit ... ff. de
do l. dolo dic quod ... actum e possessorio
recuperandi fiet restitutio ...
... ff. de ... i ... hoc loco
... possessorio ut not. dominus ...
qui ad agendum ... quod ...
dignum ... quod ... et
... = Item pone quod ei ... et
... super petitorio ... super possessorio
... exceptionem ... utrumque ...
... super petitorio ... erit
exceptio vel quis erit ... quod ...
quia ... possessorio ... quod ...
... tempore ...
... possessio ...
...
... petitorium et possessorium recuperandi
... de utroque ... dicit ...
actore et clarum quod restituuntur et duo
declarabuntur = Item ... reo ... quod
probat declaratur ... ubi ... quod
actor non probat. = Item vero ... de
uno probat et alio ... de
possessorio ... actore ... et
restituetur. = Item vero ... de
possessorio ... quod ...
declarabit actorem dominum et mandabit

quod restitui et absolvi vel super possessorio
et condemnetur vel absolvatur [illegible] condempnationes expensarum
Aliter constat de petitorio pro reo quia probavit
dominium et tunc reus adiudicabitur sibi
secundum aliquos. Aliter constat solum de altero et
tunc si constat de petitorio pro actore et
clarum declarabitur dominus et condempnabitur in ex-
pensis super possessorio non [illegible] Aliter constat
de petitorio pro reo et tunc [illegible] constat quia
actor non probat et absolvitur reus et
condempnabitur in expensis [illegible] constat quod reus
probat et sibi declarabitur dominus [illegible]
sit [illegible] si simul agitur petitorio et
possessorio aut liquet de utroque aut
de altero tantum. Si liquet de utroque aut pro
uno [illegible] tantum aut de uno pro uno et de al-
tero pro alio. Si de utroque liquet pro uno
ut [illegible] ago quod de petitorio et possessorio
recuperande et possessio super utroque tunc iudex
pronunciabit super utroque ff. de iudi. l. de qua
re et C. e. ti. super. Si [illegible] pro nichilo
pronunciatur de possessione [illegible] de proprietate
[illegible] possessio ut l. pre et l. C.
de publi. [illegible] ad effectum
quod [illegible] pronunciabit super [illegible] ad hac
[illegible] restitutio [illegible]
[illegible] pronunciabit super utroque ut [illegible]
expensis ff. de rei vendi. l. utique [illegible]
[illegible] C. de iudi. l. [illegible]
Si aut de utroque liquet pro utroque tunc
[illegible] liquet de petitorio pro actore et
possessorio pro reo [illegible] pronunciabit
[illegible] in petitorio pro actore et [illegible]
[illegible] mandabit sibi restitui
[illegible] ff. de publi. l. pre et
si pronunciabit tamen super possessione pro reo
non ut possessio ad eum [illegible]
expensis ut l. utique si [illegible] primo
[illegible] liquet de possessorio pro actore
et petitorio pro reo tunc pro actore pronun-
ciabitur super possessorio ut [illegible]
tractatur de expensis. [illegible] aut [illegible]
an possessio sibi restituatur tunc [illegible]
aut liquet de [illegible] pro reo quia actor non
probavit [illegible] reus [illegible]

dominus [illegible] restituitur possessio actori
et reus absolvitur in petitorio [illegible]
[illegible] non tamen restituitur possessio
actori quia dolo fecit qui petit quod
statim restituit [illegible] ff. de doli except.
[illegible] dolo. [illegible] principali membro
quando liquet de altero tantum tunc aut liquet
de possessorio tantum aut de petitorio tantum.
Si liquet de possessorio tantum aut pro ac-
tore tunc iudex [illegible] reum ad
restituendum [illegible] pendente [illegible]
quod tamen non [illegible]
[illegible] non [illegible] ut l. [illegible]
[illegible] ff. qui [illegible]
[illegible] petitorium [illegible]
[illegible] ut appareat an pronunciet
pro actore ut reo [illegible]
[illegible] aut non pronunciabitur tenebitur
reo ad expensas petitorii. Aut
liquet de possessorio pro reo et tunc pro-
nunciabit pro eo [illegible] super petitorio
[illegible] et agetur de eo ut
l. pre et l. ff. de publiciana. [illegible] aut
de petitorio tantum liquet tunc [illegible] pro
actore et tunc iudex qui pronunciabit
[illegible] mandabit restitui ut l. pre
et l. ff. de publi. [illegible] pronunciet
[illegible] de possessorio ut
appareat quis ad expensas teneatur.
[illegible] liquet de petitorio pro reo tunc
[illegible] liquet solum quia actor non probat
et tunc absolvetur et tunc absolvetur
et [illegible] in [illegible] de
[illegible] l. [illegible] aut constat
quod [illegible] et probavit
et tunc pronunciabitur pro eo et erit
[illegible] pro actore
de possessione non restituetur.
[illegible] ubi [illegible] quod [illegible]
tractari [illegible] de [illegible] ex
[illegible] possessorum [illegible] de ordine
[illegible] ut [illegible]
[illegible]
[illegible]
[illegible]

[illegible]

nō possessio eo q̄ lit' in p̄ob' ...

quo ad tytulū. Ite vult q̄ c. quoniam de electione et| pro his possit ei cum dignitatibus et collatione si probet q̄ conferens collationis que modo conferendi possidebat vel alius Sue cumbens in possessorio de quo dicte sit agere et in fine q̄ hic nōt in quodicebat deinde nil fuerit ad actum p̄o pu' de se sit mr indico p̄o de se so q̄ pr̄ s̄tito ubi in tex. ibi respiciat ipsum s. pure appositum in actum et hic supple q̄ electi a Gulielmo quoniam vel q̄ quod sunt apponitur testes necessarios a no compete tibi iudicibus ... q̄ aff ... in mo te excusetur recusacionem de op. Del sup quoniam ite q̄ fem ... pendeat sed ut hic no. ... et ibi no ite q̄ no in ... alias ... q̄ ... in glo. Sic ... glo in ... expedit tam officio q̄ licet q. ... petere confirmari possunt ... cum non tamen ... confirmandum licet possit actiue de aff ... in de actu accedes si collatio ... electus et confirmatus et est ... me p̄ defectu et utrobique ... q. q̄ ... fuit ... excipiendi ... confirmacionem no audiretur excipiens ... q̄ ... confirmata ... petere ... de actu ... et confirmatus ... interualla ... si alias ... petuntur ... producitur ... confirmatio ... abiecta ... confirmatus ... collatio ... de actu ... p̄om ... si quis ... et ... ignoraret ... non fuit in culpa ... ipsius fuit de actu ... Supp. ... de ... ille fuerit ... et ... non fuerit ... arbi- trium et forte nunquam possiderit ... possiderit et ... petit restitui ut supra ...

aut nunquam possederat tacito ... in ... officium ... competebat ss. de ... opponendum audiretur tunc ... de electione collatione ... exceptionem ... de app. ut ... ubi aliquis ... accelerata ... ut aduersarius in exceptione ... de dolo ... ubi ... in absentia ... ut ... in decretum ... de elec. ubi ... restitui ... spoliatus ... obedientia ... non ... in possessionem ... collatione ... non app. ... de ... q̄ se ... aduersarius ... in iudicante ... app. ... appellat ... de ... q̄ ... de app. ad audientiam ... de app. ... ubi ... in possessionem ... exceptio ... et ... de ... excipiens ut ibi ... repulsus admissus ... excipiens ... ut ... Inglesi ... non debere ... proponere ... in ... ut q̄ ... Inglesi ... ubi est ... vel ... in ... in modum ... agere ...

pri? de quo dixi ꝯ e. cu. eccl'ia
qr requirit ea sc'ta et vnus effectus tm
produciᵗᵘʳ de qua si deducetur i. in
dictu ad ꝯsequen effectum ꝯ promitt'
sup effectu vel ex sup ea exequisse
tm ob. p⁹ age volunti de eade
ea vel effectu qr ea fuit ꝯsumpta
et ꝯpetita cu suo effectu [illegible]
ea lata producitur effectum inferiori si
deducetur i. medium n' vnus effectus illius
eius et promittetur no ab p⁹ age volente
n' sup alio effectu producto ab illa ea
vel agenti de ea generaliter s' quando
fuit sua lata qr iudex qui cognovit
de ea n' eius effectus no cognovisse de
iure eligendi late n' parti possessor
parti fuit alius ad quos spectat ꝯ
quorum interest et qui vocari debent
et lis eius ff de re iudi. si quis aut
tm qr fuit sup ꝯtra lata no ab
agenti sup toto si bn eius et credo hoc
fuisse mente sua ex. 2 i s' dic q
ex sit ad cytatur ut p⁹ sup sum'a
n. sa de legitimis [illegible] i. ea
[illegible]

Petenti i. re iure dotium possessione q̄ no
suffi. hac quo at cytatur vel alius si
petens ne ex ea cura succumbit eadem
exactio ea pete' pont = p⁹ par desaf
diffi. s. ꝯtestatio. ibi ad hec [illegible] no
ff n' ꝯtinuē ꝯ e cu. eccl'ia poterat
ex misse p'ter capellas suas no
exceptas licet fuit monasterium facere
exceptum depuit exore synodum de
p̄. q. xxxxin q. c. lite 24 hic dicta
q lata fuit sua q. patriarcha q
no p'baveral [illegible] Consulit hos q
volens pete' aliqua qr solutum pluribus
no i. fecerit cum pastor do. p'eto
solui qr pluribus annis soluisset g.
c. de pat s. s' certis annis [illegible]
hic colliger q si clerici ad iudicium sc
vocans soluit certu sen cepit ꝯ p'lata
examinatur q extinguit tempus cu sui
no sit subiecta et sic cessante ea cess.
effecto de ap. cu cessante [illegible] si cepit
debebat ex alia ea qr ꝯtinuari—

exunnatur no extinguit tempus [illegible]
sta. i. ibi recipi⁹ dicitur ut s' de s'ma.
s' pᵃ libri [illegible] de rest. spo.

Puis e. de ea poss. et ꝯpriet. s' qr
rei restitucionis ē ea possessionis io sa
hos vel alias vt ipso qualis possessio
acquiretur videndu erat qualis sedicia
recuperaret io ut de m. [illegible] i. con
tinuo i. ut q. n. p'rotu' sic e lig.
dicas si ꝯpetit eo qui
restitucionem petit pt
eo ꝯpetens sibi referri i. pot. spo.
ꝯquo s. te vinculis ꝯmpro n. ibi
q si ea sit dere' exordiu ꝯ p⁹
huius de cens licet ꝯtecessi de
ꝯpruit dicemus ꝯpu no. alia s' certo
aliquo i. si p'tu no fuit dominium
capi spectare ad eccliam et spoliatio
probata fuit. ex spo. tu an aut
restituendi i. e i. lite sive q
remittitur. pt quos i. dubio i. fauo
re sui de regule ad apliandum ꝯ
ipse eciam dicebat s' spo. tu ab
hac et et intendit i. eadem
q. eccliam [illegible] oppoē qr i. eadem
no dicitur ut q. spoliat. mandate
vel ratu habite i. c cu ad sede
g. debuit i. retinere q. ꝯcessa no
q. eccliam [illegible] hic dicit hos q.
eccl'ia tm de sco humanu i. q. [illegible]
fuit fuerit locupletior ut si ad
eam p'venit i. e sepe istud no pot
ꝯtinuam i. accidio ff de vi et vi ar
l. i. s. ait pretor et q decrevisse
et i. c cu ad sede [illegible] n
ipse eciam mirat' se spo. tu n. poterit
restitui g. no debuit restitui
qr sua de ꝯformis libro ut
l. ult. de succ. ꝯmus libri de s'.
[illegible] [illegible] dicit aliquis q i. spo
liatus e spiale q sufficiat mandat'
ex ꝯtinent ad optinendum restitucionem
ut not. so i. q. iiii qr si sp'ulatus ꝯ
not. archi. i. n. qui i. primis
spoli ꝯcedit nisi agitur exofficio
i. iudicio i. quantonis vel ad pe
tentem alius poss. ex [illegible] locu

si opponatur contra ipsum qui de spoliatione [illegible] restitutionem est solum mandatum vel dic quod est [illegible] in persona [illegible] admittitur [illegible] ubi [illegible] procedit [illegible] non [illegible] de quo dic ut ibi dictum est. [illegible] non admittitur quia [illegible] mandato [illegible] iste [illegible] mandatum [illegible] admittitur [illegible] non licuit [illegible] et non aliter [illegible] et hoc [illegible] ut [illegible] de restitutione non [illegible] et [illegible] [illegible]

[illegible]

de [illegible] cum non liceat [illegible] admittitur exceptio [illegible] agentem in tertio [illegible] de [illegible] possessori [illegible] [illegible] iuste tenet [illegible] iuste [illegible] restituatur [illegible] si excipi [illegible] exceptio [illegible] et [illegible] non de exceptione cum inter [illegible] de [illegible] si exceptio [illegible] agere [illegible] ut [illegible] exceptio [illegible] spoliationis [illegible] si [illegible] de quo dic ut [illegible] frequens [illegible] si spoliatus [illegible] spoliatore [illegible] restitui [illegible] [illegible]

[illegible]

[illegible] petiti restitutio / non ob exceptionem [illegible]

[illegible]

[illegible] ut [illegible] non [illegible] non [illegible]

[illegible]

no i glo text⁹ ad pt ci repli ... ri ... ut ... te ... cum et albinum,
... ad possessorem ... possessionis ... per ... continendi ... interpretationem
... ut ... continuo ... aut ... [illegible]

de excep. a nob. ī gᵒ pius debuit ad
mitti pᵒ supᵃ eā. Qᵒ pᵒ qᵘ replicaᵒ
excludit excepcōe et ad ut p̄ uidit.
dely p̄ distuti et nō. ē. ī c. a nob.
de excep. et hoc pt qᵃ nō ē vers
p̄lē q spolᵒ ut dt tex⁹. Capitulo
ij iste pᵒ spolᵒ fuit demu restitut.
Spolii etc nō pāt vū nō vī. qᵒ vī vī
pᵒgītā violēnā et q metu cā l. ij
Qᵒ dicit aliqui q exceptᵒ met⁹ ē
adeptā petiᵒ restitutiōis fāuoᵗ expᵗe
spolᵒ dē ar. arg. c. pᵒ et io solum
excepᵒ met⁹ nō repetitur ff de gdi
ī debi ī qui excepcōē. Vel dic q
soluēs p⁹ ꝯmissione ex metu ī ita
dñe vtr. ff de regulis iur. l. cui⁹
ꝯcorrore et io ꝯ solone qᵃ dāmi
ū. crēditori ß hic ꝯremit⁹ ut.
mag⁹ accresse violento ꝯtē qᵃ ꝯ
soluē spōte fāim dōmitū trāssfert
ī illū cui solut nō pt ī spoliāre
Itē ꝯmitta⁹ ꝯ metu certū ꝯ
hāit ꝯmissione nō trāssfert ī te
nᵒ dñium nᵒ possiō ß ꝯ actū spo
liatōis spolᵒ ꝯiudatur possiōis
nō gᵒ pt remit⁹ possiōni qᵘ
nō hꝫ ß vū pt solue q hꝫ. Alii
dt q soᵒ ē act⁹ executiu⁹ ꝯmis
sionis qᵒ ꝯ alium alia ꝯgeltur
licitū ꝯmissionis qᵃ et dū soluē
habebāt remediū ꝯ remit⁹ nō
ē act⁹ executiu⁹ spoliatōis nᵒ ē
verisīle q spolᵒ remitteret. Capitulo
Dē oppo et M. ꝑ cuiꝫ remit
uni suo et ꝯremit⁹ ab dicatur
ac uos suū de remit q ī dubiis
ꝯ c. ꝯ iāē ß spolᵒ rerū titulū gᵒ
illi ꝯtinut remit. Qᵒ dicebat
gof q remit⁹ liꝫ nō ꝯiudicē
ꝯtū ad possiōnē tū ꝯiudicat
ꝯtū ad cētū hac nō ē verū q.
nō pᵒ pūt spōte remit. ut apparet
... ß p̄ ꝯ metū remittit ꝯue
... de quibꝫ C. q metu ...

qᵘ ꝯrerū vesp dt gᵒ gof q qm
remit⁹ metu fēā vꝫ liꝫ posse
respondi actōe uel excepcōe met⁹
ff q metu cā l. metū q valet
Capitulo an sit ꝯ hoc mādat
ī dē vīs pᵒ. A. supplitū q
ad q hoc a ī ꝯ hēw Qᵒ dicit
q qᵘ vis ad ꝯexitū duplex
effectus ꝯ respectu⁹ et repel
lendā ꝯ⁹ excepcōis qᵃ ipsā
ꝯbara ī modū replicatōis nō
ꝯsequitur restitut⁹ sicud nec
cū ꝯparatur ꝯ modū excepcōis
dē ar. arg. cū diloco. Vel dic
q pᵒ ꝯ. spoliaī pᵒ ꝯpleme
hac nō placꝫ sm et gof q ꝯ
ꝯ⁹ spoliatā ꝯdatur excepcōē et
ꝯmo opponūt nō durte et de
ꝯse pᵒ vero ꝯponebāt durte
2 despse Capitulo ꝯ excepᵒ pt
admitti p⁹ litē ꝯtestatam sm q nō
ī c. ij. dē ar. arg. qᵃ dilaciō
ß p p⁹ litē ꝯtestatam spoliatur nūq
excipiet tūc. An laude vīᵃ sem
tūc q nō qᵃ hꝫ aliud remediū
ī mādatū recuperādē / Archi
ide tꝫ ij q ij c. A. hic idē
tꝫ ī l. nāᵃ q mutil ff de acq.
pos. Juā tū ꝯtradi. dicitur q
excepcōēs dilatorie q ī capitut
ꝯpetetie p⁹ litē ꝯtestatam tūc
sunt ꝯpai de of del ī ꝯmiltē
de excep. pastor. de ele. ... a ...
ut ob. q hꝫ remediū agēdi
qᵃ remediū agēdi nō ē ita
facile sicud excipiendi q ī ex
cepcōib⁹ dilatoriis sufficit simplē
cognitiō. An ī dēo c. ij spāti
illā opīoē ī mō dt alii q.
ut ... et fuit ... adēmpto
ij q A. c. A. et idē sm ī c. cū
dilecto super ... ꝯ ... et hoc
e⁹ tollēt hic et hac tradū

equi9 in glo. s. ubi no. v. audod9
si remit9 fuit e din kl spo9
bri admittet excep9 remit9
qr si ab dicta e possio p remit9
el no pt spoliari si q. petet
restitucoz bri admittet excep9
tu no e spol9 g9 et ipsa admit
tet qr i antiquis a cardem dil
duo p9 s pt possedisse et spo9
fuisse. Sz hec opponat remit9 p9
spoliacoz no admittet9 qr possiu
qua a spol9 pt remit9 et h
c mis glo et borg a c. d. E
In glo n9 ubi gst9 no refert se
ad tpa qssionis s ad tpa quo
debuit repelli excep9. et glo
q dicit sibi ipi et ubi pcessit
hos. dicebat supplendo ut dixi
a lra q tn u plt qr text9 dt
q iste no remit9 spote et sic
no cpilatur effcm remit9
Alii dur q c. poliate lo9 i bi
exquisiua et c. accep a bi quil
pua ipsius e ptm qr d. text9 q
ccia fuit spol9 Alii dnt q
i c. poliate negabat9 pola spm
ctas i c. accep negabatur
spietas et possio glo dat alit
polm i c. pxas q u pla Alii
dnt q i c. poliate spietas fuit
replicato i c. accep no et h
bn c bera nr differt ab alia
polae glose q9 i c. poliate re
plicato elidit excep9 pr man9
acco s i c. accep fuit excep9
qr no elisa et i tas q pbata
sit remit9 possionis et spiet9
tr no obstat9 excep9 qr ex
pt do restituitur ut s. e. t. lo
s ubi remit9 est possioni
tur idz e dict9 tu remittasti
q tu no fuisti spol9 ut s
dixi = L. ubi card sup

iudice ducebant in et hos q qui remit9 bapo
suo a mulis cis adq spetit pt alo p9ca spo
liari dur9 qm a mo s quoda p illa cui
spo geulat q no plac9 eis fuerit tn q dur9
qm pt si violenter nititur tenere dicit
est q si ad remit9 spote bnficiu a mali
bz qm si ad ipm spetat collo sta gferat
s vero ad aliu spetat pt illa mitaire q
statt gferat i mo et si mitatio ille
adq spetit gferre pulit recep remit9
p epm et h expectare pnam ide dnt
aliqui fieri qu etiri gtepnit pmoveri
ad intitu qm q eis no plac9 tu no
put pter hac pudici s pruitati de eta
et qua c. i et dat. q. r. q ubi n9 ipo
iure nc p pnam lata vite vel a iqne
p appell9 suspesam prudes s et no lic9
p appel9 suspesam pruilegi s et no lic9
eis possionis gmodu auferre s ubi ipo
iure vel p pnam q h vim rei iudicate
p dat vel bnficii et pt alteri gferri et lic9
epo sit et cognicoe possione auferre
qr i hac exequitur offm suu de a statu
c. in tu de q gferre pt s? ee cog
mcoe s possione pinare no nisi p pnas
pulit9 sic ut i c lic9 de p. ubi
In glo vl a s dic illud qre ubi a retinet
gdico canonis illi9 al. ubi a retineret a tel
dcm dare mil e mutu iure canonu = c. accep

pe c. accep ill9 pe

teti restitucoz ccie ob excepco spoliance
admittendo. p9 pai9 gq sup et pus ad ipse
nupo n dnisio n ubi mitdu9 gto p
dica qo et du9 i cogmo. a. scd sbc d.
spoliacoe spfice gmtu ad restitucoz sfici
tn quietu ad restitucoz s. polm pt recte
coz quiq s c. pxas s hos mitdu9 gto supp9
hos et cu restituisset quo restituto si vo p
hos tollitur quiq s c. pxa ut vidisti q. in
2 hos sup glo n q remit9 uni
suo no gpetit regressus ad aliud bn q.
a. q. piclitz ste q remit9 fieri deb9 i man
bz supiores ut s de remit9 admonz =
i nupiores ut s de remit9 bnfm citlitz et possio
p dat ne remit9 due bnfm citlitz et possio
iue eymule adeo q si p9ca eicitur no
posset dici spoliat9 dat q si eicitur ab
ordinario p9 remit9 no pt dici spol9 ut
hic sn et tetigi s c. pxas ace9 si a piui
to admiss ace mlis possionis q no

abdicatur per solum actum renunciationis
et hic colligitur in glo. i. ibi de gratia per hoc
de his non curat sed c. Audita

Intelleximus de retine

da persolvit revis quod abrenunciavit predicta
hac quo ad cetera vel alias per litteras suas
facientes expressam mentionem de premissis
revocetur similiter in littera per primas per
patet prima questio et eius processus usque ibi
licet ibi patet secunda usque ibi quia ibi tertia
et est mandati per predictas litteras per totum usque vel
certe dispositio per contrarium plena questio
licet dictis de mitera i. de p. c. libumpsis
per dispositio super ipsam molestaret certe sua super
a tercio viri possidentis in petitione ad
eius et super eadem re [illegible] s. prior
violenter [illegible] vel per [illegible]
cum archiepiscopo cum predicto episcopo Lugdunensi super
tertio sed de plus per suos [illegible] Redivire
mutavit hanc tercii mandati. Ubi non
[illegible] Item verba sunt viri possidentis
et in tercio viri possidentis de quo s. de [illegible]
licet Item quod adversitate alternative sufficit
alterum per I per totum ce [illegible] de re sua in ter
tertio Item verba generalia legantur sed
in textu de [illegible] in t. r. a. licet
hic abrenunciato quod interveniente medio
sed ipso de c. solicite c. Ubi opponi
tur sed violentia hic sola sed [illegible]
quod si vel dicere quod aliud in a tercio viri
viri et aliud in a tercio viri possidentis
Ipso in litteris non in petitionem adiectis aliquod
futuras de rescriptis et si quod iste non potuit
litteris in petitione Item possessor non licet
in petitione ad eludendam actionem petentis
quod si secus non [illegible] s. dicere per iniuria
tam [illegible] quod nulli fiat iniuria quia
sciens nunc suo de c. cum causa sed fuit
quia fraudulenter impetrasse. Ubi vero dicit
quod [illegible] medebatur ipsis quia
re non [illegible] litteris cum adfuturas
sunt litteras de rescriptis non nulli. Iste
lex fuerunt consultorie de quibus de offi.
del. c. r. [illegible] vel si [illegible] hic in petitur
super in tercio viri possidentis et hoc

per[illegible] vel forte abrenunciaverat sed
[illegible] in petitione de suo beneficio vel ut
aliud dimitteret vel [illegible] secundum
illius ecclesie vel in [illegible] ut ubi [illegible]
beneficium de [illegible] non [illegible] vel [illegible]
quod licet clericos in petitione quod illud cum colla
[illegible] causa sua [illegible] resignavit et
[illegible] quos beneficio in mai
[illegible] si ille [illegible] pellere conferendi
aliud [illegible] conferre et mandare [illegible]
[illegible] ut conferat et me [illegible] mandato ille
conferre et [illegible] quod ubi
beneficium vacat ipso iure [illegible] conferri
[illegible] beneficium faciendi [illegible]
[illegible] quod beneficium vacat
[illegible] ipso iure conferuntur [illegible] ad quos
[illegible] expressa sunt vel [illegible]
[illegible] Ipso
[illegible] quod [illegible] non valuerat
[illegible] ut valeat debet fieri
expressissima mentio de premissis de off.
del. [illegible] et ubi dixi [illegible]
[illegible] ubi revocatur [illegible] prior
[illegible] petitio ad
[illegible] non ob [illegible] ad quem
[illegible] fuerunt [illegible] quod [illegible] ad
Lugdunensem episcopum et archiepiscopum [illegible]
[illegible] ad vigorem et eundem
archiepiscopum [illegible] ad eosdem [illegible]
[illegible] revocat litteras primas ad in
[illegible]
[illegible] et [illegible]
ipso iure vel ope exceptionis [illegible]
[illegible] de rescriptis cum [illegible] Item
hic non exprimitur tenor litterarum sed
[illegible] non [illegible]
[illegible] aliud
[illegible] non [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
potuerit [illegible]

[illegible]

[illegible]

[illegible] in tempore [illegible] [illegible] rubrice [illegible] pro dicto [illegible] exigitur
[illegible] [illegible] [illegible] permittere [illegible] petit

[illegible] [illegible] possessoris [illegible]

si [illegible] quam [illegible] sit in turpius [illegible]
[illegible] illum [illegible] ff. de [illegible] l. [illegible]
[illegible] [illegible] [illegible] non de
[illegible] [illegible] [illegible] si in [illegible] sunt [illegible]
posset [illegible] [illegible] [illegible] [illegible]
excusari [illegible] [illegible] [illegible] [illegible]
si [illegible] de hac [illegible] non [illegible] solue
et hoc [illegible] [illegible] debitum [illegible] [illegible]
possessorio [illegible] [illegible] non [illegible] exceptio
in turpitudine [illegible] [illegible] [illegible] sit restitutus
ut hic [illegible] si non [illegible] [illegible]
[illegible] [illegible] interdictione repellitur [illegible]
[illegible] illi debitores obedivisset [illegible]
[illegible] non audiretur [illegible] [illegible] [illegible]
[illegible] [illegible] posset dicere [illegible] [illegible] [illegible]
de [illegible] in turpi [illegible] [illegible] [illegible] ubi
in [illegible] nomine [illegible] [illegible] de [illegible]
[illegible] [illegible] [illegible] in [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] opus [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible] [illegible] [illegible] non [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] hac [illegible]
[illegible] et [illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] ut [illegible] [illegible] ff. de [illegible] [illegible]
[illegible] possidentem ut in [illegible] in possessione [illegible]
[illegible] [illegible] de [illegible] [illegible] ff. de [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] opus
[illegible] [illegible] [illegible] ff. [illegible] l. [illegible] ff.
de [illegible] [illegible] l. [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] qui
non [illegible] [illegible] rei [illegible] [illegible]
[illegible] [illegible] de [illegible] [illegible]
aliqui [illegible] [illegible] [illegible] [illegible]
[illegible] qui [illegible] obedire [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] deteriores [illegible] [illegible]
[illegible] [illegible] [illegible] soluere et [illegible]
[illegible] ut [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] celebratur [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] possessoribus [illegible]
[illegible] [illegible] [illegible] petitorium [illegible] petitur
[illegible] [illegible] possessorium [illegible] petitur restitui
[illegible] [illegible] [illegible] [illegible] [illegible] possessore
male fidei [illegible] [illegible] non [illegible] [illegible] [illegible]
[illegible] ut [illegible] [illegible] [illegible] restituatur
[illegible] non [illegible] [illegible] [illegible]
[illegible] non restituere [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible] [illegible]

[illegible] posset [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible] [illegible] fructus
[illegible] [illegible] [illegible] [illegible] [illegible] eligere
[illegible] fructus ut [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible] [illegible] [illegible]
in [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible]
[illegible] [illegible] qui [illegible] [illegible] alius elige
[illegible] [illegible] [illegible] eligendi et non
[illegible] eligunt [illegible] [illegible] [illegible] habet
elige [illegible] [illegible] [illegible] [illegible] [illegible]
possessori [illegible] reducatur in [illegible] possessione
[illegible] [illegible] [illegible] [illegible] [illegible] possessio
[illegible] in corporalium [illegible] [illegible] [illegible]
[illegible] [illegible] in corporis ff. de [illegible] pos. l. [illegible]
[illegible] et l. [illegible] [illegible] [illegible] possessio
[illegible] in corporalis [illegible] [illegible] [illegible]
corporalis [illegible] in [illegible] in possessione
[illegible] [illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] ff. de [illegible] pos. l. [illegible]
[illegible] [illegible] [illegible] non [illegible] possessio
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ff. de
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] possessio [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] possessionem [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ut [illegible] possessio
[illegible] [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] et [illegible] [illegible] possessio autem
[illegible] [illegible] [illegible] corporalis [illegible]
[illegible] [illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] possessione [illegible] [illegible] [illegible]
in possessione [illegible] [illegible] [illegible] corporalis
[illegible] possessio [illegible] [illegible] [illegible] hac
[illegible] ut [illegible] ff. de acqui. pos.
l. [illegible] [illegible] [illegible] ff. de acqui.
[illegible] [illegible] [illegible] possessio [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
possessio [illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] ut [illegible] [illegible] [illegible]
[illegible] autem non [illegible] in [illegible] [illegible]

ut si non possessio ... possessio ad quem ... cum sit in ... non sit ... ad [illegible] ff. de lo. ... alia ... credit ... ut ... ad illam dignitatem ... quod possessio unius canonicatus vel prebende vel cuiuscumque dignitatis ... unus clericus ... possessionem aliquam ... et adversarius ... de capel ... modo ... de possessione ... de apprehensione unius ... aliarum dignitatis ... non intelligitur possessio ... possessio est ... canonicatum vel dignitatem possessio autem unius ... clericus ... eligendi ad ... ignotes ... de recuperatione non ... possessionem ff. de acq. poss. ... possidere ... [illegible] ... ut ... non ... possessione ... autem ... acquirere possessionem ... non ... possessio et ... ad ... alias ... canonici ... administrationem ... nove ...

... tamen non ... et ... de ... in glossa ... quos in glo. ... in ... fructus ... administrationem ... canonicatus ... quod non ... restitutionem ... de ... in ... possessione ... ab ... quibus ... restituendis ... possessionem ... non futuris ... restitutionem ... de ... in ... ad petitionem ... de ... fructus ... restitui ... causa ... possessionem ... de ... iudici ... de ... restitutio ... non ... alias ... de ... iudicium non ... sed ... de ... unus ordo ... de quo ...

c. de adulte. l. g[illegible] si p[ro]c[urato]r p[er] iudicia
fca lig. c. de reiud. q. i dubus .
verbu p[ro]c[urato]ris alr pot no[n] i bicem ut i
q[uaestio]ne c. i c. cu[m] clia de p[re]b. et i c. cu[m]
hoc de eccl[es]ia c. qua. de eti no[n] resp[onde]
collu de rege. Audis q[uod] magris quito
de o[mn]iu[m] plor[um] ad plor[um] i ali[is] ni hic
subierat [illegible] ipsa ea de qua q[ue]sta
fuit hic aut pot [illegible] bicem q[uod] su[n]t
cog[nosce]nt. Cappo m[ihi]. Ordinari[us] ex offo
i c[ri]mib[us] p[ro]cedit q[uod] subditos de c[ri]mi[nibus]
delatos de [illegible] q[ua]liter q[ue] no[n] debuit
cu[m] q[ui]ppi corp[us] ligatio [illegible] har
ma debuit ut puniretur i quo de
lig[illegible] nel si g[e]n[er]al[iter] q[ue] p[ro]cedit vbi cri
me e notoriu[m] vel i [illegible] i
facti sic vbi [illegible] nota i ordinario [illegible]
p[ro]cedens tu[n]c no[n] p[ro]cedit ex offo s. de
accu[satione] q[ua]lr [illegible] et c. cu[m] op[or]teat. Cappo
m[ihi] filius no[n] querit p[ro]cem i iudic[io]
[illegible] acto[n]e famosa [illegible] petitur
[illegible] ut l. [illegible] ff. de i ius
voc[ando] fortita q[uod] [illegible] q. de [illegible]
p. [illegible] de iure ciuili [illegible] si
no[n] de iure canonico ut not. glo. ii
q. vii q[illegible] Vel dic q[uod] quib[us] subditis
[illegible] p[ro]cem p[ri]nci[pal]e quem ad [illegible]
i [illegible] d[omi]nus corp[us] [illegible] iudice
[illegible] q[uod] tollit[ur] [illegible] Vel dic
q[uod] p[ro]cem p[ri]ncipale[m] [illegible] lic[et] [illegible]
[illegible] subdito Vel dic q[uod] iste [illegible]
ploraui[t] off[icium] [illegible] q. [illegible] p[ro]
[illegible] Ferunt [illegible] subdito
q. [illegible] q[ue]rat i [illegible] dicas
q[uod] sic ut [illegible] dicebat se p[ro]c[uratore]m
i [illegible] mandat [illegible] dici
q[uod] [illegible] i [illegible] fuit officiu[m]
iudicis [illegible] aut i [illegible] a ter
dem [illegible] [illegible] [illegible] [illegible]
[illegible] famosa lic[et] [illegible] [illegible] [illegible]
[illegible] i c. [illegible] de iud. [illegible]
i [illegible] q[uod] iudice debet [illegible] de
q[uod] si [illegible] i [illegible] [illegible]
[illegible] [illegible] no[n] [illegible] [illegible]

possessione [illegible] no[n] [illegible] [illegible] [illegible] [illegible]
q[uod] [illegible] iudicis q[uod] no[n] e[st] lege [illegible]
not. [illegible] i l. meminerint [illegible]
[illegible] [illegible] [illegible] Sed si [illegible] spoliauerit
[illegible] et no[n] [illegible] plures [illegible] plures
possit [illegible] possessione [illegible] q[uod] [illegible]
quito de [illegible] [illegible] no[n] [illegible] q. i. notu
[illegible] ob q[uod] no[n] fuerit [illegible] [illegible] [illegible]
q[uod] [illegible] obligatur ut [illegible] [illegible]
q[uod] [illegible] possit [illegible] [illegible] [illegible] ut [illegible]
[illegible] no[n] credere si [illegible] i [illegible] [illegible]
Singlo et qui [illegible] g[e]n[er]al[iter] q[uod]
spoliari [illegible] [illegible] [illegible] rebus cor
poralib[us] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] q. i. [illegible] [illegible] [illegible] [illegible]
iii q. i. [illegible] et [illegible] [illegible]
[illegible] [illegible] i [illegible] de [illegible] i posso ad
fine[m] Volo q[uod] [illegible] q[uod] [illegible] tenuerat
[illegible] [illegible] [illegible] [illegible] alium [illegible]
[illegible] i [illegible] [illegible] [illegible] [illegible]
debuisset [illegible] [illegible] ob [illegible] [illegible]
Singlo [illegible] [illegible] glo [illegible] [illegible] [illegible]
[illegible] [illegible] cognoscere si ita e[st] i ordinario
i [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
q[uod] [illegible] q[uod] no[n] fuit [illegible] i [illegible] fuit [illegible]
[illegible] et [illegible] [illegible] ut dixi i [illegible]
[illegible] erit off[icium] [illegible] [illegible] [illegible]
[illegible] q[uod] cogn[osce]re de ea c. postea [illegible]
[illegible] c. [illegible] [illegible] restituere [illegible]
[illegible] q[uod] no[n] potest [illegible] q[uod] no[n] fuit
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
ut [illegible] [illegible] verbis de [illegible] [illegible]
[illegible] et c. i [illegible] [illegible] [illegible] [illegible]
fuit [illegible] et [illegible] si [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] glo [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] de [illegible]
et [illegible] de [illegible] i [illegible] [illegible]
[illegible] [illegible] magna [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible] ibi [illegible] [illegible]
[illegible] [illegible] et har si no[n] e[st] [illegible]
capitali [illegible] [illegible] [illegible] [illegible] alio
i [illegible] q[uod] [illegible] [illegible] ad [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] de [illegible] [illegible] [illegible] de [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

in quo in textu hic tertius casus de quo supra e.
capitulo. Item quod per capitulum cardinale quilibet
introducitur. In quo possessione materia
Item quod licet sit quidem de loco tuto
de aliquo excepto et inducit habet multum
ut in multis supra dictum. Ex capitulo. cap.
est an ordo restitutionis ut supra e. in libro
est non probato tituli hic aut dicitur
capitulo titulus. Dicit quod quidam quod inter agere
habet petitorio ut nota supra e. capitulo. Aliter in-
telligitur in possessorio et est speciale in inito
quod non fiat restitutio spoliato nisi iustifica-
ta [illegible] ut in glosa [illegible] de
Anglia e. in fine inter casus speciales in quibus
non datur an ordo restitutionis non. in-
quantum in summa et aliquid casus ut libro
q. i. in [illegible] de petitorio et poss.
non [illegible] c. i. a. in speciali de petitorio et pos.
[illegible] peccatum supra e. an [illegible] casus c. cum
Qui io qui per aliud
possidebat [illegible] possessione in [illegible]
expellitur restituitur per interdictum re-
cuperandae possessionis et supra et gl.
in uno [illegible] concessit de [illegible] e.
supra de his quae fiunt a praelato [illegible] poterat est supra
non [illegible] quae eius non [illegible]
ut [illegible] decessit. i. morte
[illegible] personae quae [illegible]
[illegible] est quod [illegible]
glosa. Cum non quod [illegible] e. [illegible]
possessionis [illegible] de [illegible]
[illegible] Archiepiscopo concessit ecclesiam cap.
[illegible] de c. novit quidam ac-
[illegible] ut [illegible]
[illegible] de his quae fiunt a praelato. Et ut dicit in
textu [illegible] Bocardi [illegible]
est [illegible]
[illegible] non possit [illegible]
[illegible] ut in cle. [illegible]
et non alias [illegible] in alienatione bonorum
ecclesiae ut [illegible] et [illegible] et ibi nota
[illegible] si [illegible] alieno
[illegible] vel in quibus [illegible]
[illegible] principaliter [illegible] et [illegible]
[illegible] ad restitutionem rei et [illegible]
[illegible] legari [illegible]
[illegible] ff. commo-
dati [illegible] et [illegible] in eadem [illegible]
[illegible] non [illegible]
Capitulo de c. [illegible] cap.
[illegible] novam [illegible]

quod erat [illegible] quae solebat dari episcopo
[illegible] quod erat [illegible] nova
[illegible] illud [illegible] episcopatus.
[illegible] magis dicitur hic. Cap.
hic [illegible] possessionem quae de
fide in [illegible] de [illegible] poss. c. si
[illegible] fuit translatum dominium et [illegible] et
in translatione dominii fuit assignata [illegible]
[illegible] assignata in signum traditionis
possessionis de [illegible] de do. [illegible]
fuit de [illegible] alter [illegible]
[illegible] Cap. de c.
[illegible] de [illegible] fuit [illegible]
[illegible] in privilegio [illegible]
[illegible] de privilegiis an
derogatur [illegible] de privilegiis [illegible]
[illegible] cum [illegible]
quod non fuit [illegible] possessio per [illegible]
quae fuit [illegible] per modum constituti quae [illegible]
[illegible] se possidere nomine [illegible] ff. de acq.
poss. l. quod in co. [illegible] quae possessio
acquiritur animo et corpore ff. de acqu.
poss. l. [illegible] et ff. [illegible]
l. quemadmodum [illegible] quae [illegible] non in
[illegible] actus corporeus [illegible]
in [illegible] actus [illegible] possidentis et [illegible]
[illegible] quod ille qui se constituit
possidere nomine [illegible] possessioni [illegible]
[illegible] constitutum [illegible] possessio [illegible]
[illegible] et constituo me possidere nomine
[illegible] translero in te possessionem
ut l. quod in co. in prin. ff. de acqu. poss. [illegible]
si possidebam [illegible] constituendo trasfero
[illegible] ff. de [illegible] l. quaedam [illegible] Cap.
[illegible] quae hic in quando [illegible] actus
corporeus in [illegible] actus [illegible]
et [illegible] actus corporeus e. [illegible] constitutionis
[illegible] genus aliquod nego-
[illegible] et ego [illegible]
[illegible] possessor et sufficit
[illegible] actus corporeus. [illegible]
[illegible] ff. de acqu. poss. et [illegible]
[illegible] qui possideo per me [illegible] quo
[illegible] possessio [illegible]
per aliud [illegible] vel animo meo et corpo-
re alieno [illegible] constitutionem
[illegible] alteri et [illegible]

vel ignorans transferre possessionem ff. de acq.
vel amitt. possess. l. quod non autem et ibi non tenuerit
dicti corporis. ¶ Tu dicas hic est
contra in constituto non dico quod in futuro facto
ut l. quod quis. C. de do. et l. ab exceptione
ff. de pac. et c. eas. in l. qui universas
in finali ff. de acq. poss. Nam si constitutus
me possidere nomine tuo vel quod detinet
colonus meus ego constituo me colonum
tuum et per colonum meum qui est tercius
incipit possidere et te possidere licet ignores
non et non ob peregrinationem quibus quibus
[illegible] non tenuerit voluntas
sua et alius est casus quod propter remotionem
[illegible] faciliter transfertur quod extinguitur
sicut in [illegible] contractu [illegible]
cum facile transferro possessionem constituendo
quod illam extinguam [illegible]
[illegible] ¶ Kl. si alicui concedo usum
fructum [illegible] constituo me possidere
nomine suo dum videor tradidisse fundum
ut usufructus sit constitutus et ille
[illegible] ut l. in quo [illegible] ff
de usufruct. [illegible] quod non propter malicias debeo
esse penes usufructuarium magis fuit
penes dominum ut no. ff. de acqui. pos. l.
[illegible] item constitutorum
[illegible] malicias quod [illegible] non erat
[illegible] C. de do. l. si quis ¶ Kl. si concedo
tibi servitutem vie et constituo me possidere
nomine [illegible] hoc sit tibi quasi usus
servitutis [illegible] realis cum
[illegible] ff. qui [illegible]
[illegible] l. si [illegible] in [illegible]
[illegible] possessionem ff
de [illegible] non autem possessio [illegible]
[illegible] item constitutorum non [illegible]
[illegible] usus [illegible]
[illegible] illo [illegible] fundum
ad locum [illegible] nomine suo [illegible]
constituta est possessio servitutis [illegible]
est in quasi possessionem [illegible] alicuius
castri transferat in alium constituendo
se possidere nomine illius [illegible] nomine
[illegible] transferre possessionem non autem ministri
castri in quos exercetur [illegible] constitutum
transferre quod [illegible] possidet [illegible]

possidet [illegible] alium in [illegible]
¶ [illegible] quod non possidet [illegible]
tum ut colonus et constituet se nomine alicuius
possidere dum [illegible] aliqua
possessio [illegible] si ille fundus a [illegible] possi
debatur ut potest [illegible] quod possessio
ff. de acq. possessio l. quod [illegible] universas
[illegible] qui per colonum et ibi no. [illegible]
colonum et animus illius sufficiunt
ad [illegible] predictis autem quibus
non [illegible] [illegible]
possessio [illegible] fundus erat possessus
ab alio [illegible] ut l. qui
universas [illegible] dico si
ab alio possidebatur [illegible]
[illegible] constitutorum [illegible]
[illegible] ut [illegible]
[illegible] non [illegible]

¶ [illegible]
[illegible] alter petit
restitui [illegible] restituetur [illegible]
[illegible] appellatione [illegible]
ibi [illegible] hoc [illegible]
[illegible] possessio introducta [illegible]
[illegible] restitutorum [illegible]
[illegible] non [illegible]
[illegible]
¶ non [illegible] si in [illegible]
[illegible] non [illegible]
[illegible] de [illegible]
[illegible] non ad
[illegible] credo
[illegible] intelligit de [illegible]
[illegible]
[illegible] principe [illegible]
[illegible] concedendum et [illegible] debuit [illegible]
[illegible] non [illegible]
[illegible] in [illegible]
[illegible] appellatione [illegible]
[illegible] terminum [illegible]
[illegible] ¶ [illegible]
[illegible] non debuerit [illegible] petit [illegible]
restitutionem [illegible]
[illegible]
[illegible] non [illegible]

Item dicit quod iudex ... debebant ... in negotio principali non dare restitutionem ... respondebat ... quod ... causa in negotio principali ... quo negotio principali ... terminabile illo omisso ... iudex in principali ... argumentum ... de iudicio ... privilegium ... Item quod iudices delegati non poterant restituere ... debuit peti restitutio coram eo quod iudex delegatus non cognoscit ... de solo ... et restitutio non fuit ... dicit ... in restitutione ... iudices delegati ... sunt ... iudex ... Item ... iudex ... non ... quod ... iudices ... [illegible] ... inspectio ... non ... iudex ... sed ... delegatus ... non ... in ... iudex ... coram ... iudicium ... expressione ...

durisque pastoris et sic iudicis ... in ... non procedit nisi ... exprimatur ... non ... iudicium ... et ... iudicium ... iudicium ... pertinet ... Item ... iudex ... delegatus ... iudicio ... delegatus ... pastoris ... iudicio ... de mente delegantis ... impedimento ... interpositionem ... iudicium ... de ... pastoris ... confirmatio ... confirmatio ... et ... ideo ... et ... iudex ... iudicio ... non ... iudex ... in iudicio ... iudicis ... iudex ... iudex ... ideo credo quod iudex delegatus ... [illegible]

ut petitione

actū iudiciariū posset excēde q̄ p̄ua
sit validius cū ex p̄uacōe sitat
exceciāū b3 aū hāt impedit3 b3
tn̄ ex hoc nō licēs h'ut ff de of
q̄ ḡsul l. obs'uare ı̄ fi. Dub'
sin q̄ si capl'm eccīe metropolitane
hn̄s p̄uilegiū q̄ sua cū suffr̄ga
neis eligat metropolitanū q̄ an
q̄ p̄uilegiū p̄uatū suffr̄gāneis
renunc' potuerit ı̄ dubio et
de par l. p̄gō ı̄ ḡsti ſ ex quo
sp̄uis ē p̄uilegio vel ē p̄uatū
suffr̄gāneus aō poterat renūciare
cap. ḡff. ff de acq pos l. u q̄
abs'oti Ergo nō possu hoc ḡcipe
q̄ p̄uilegia adic bulle siuam² de exc. p. l. c.
effc̄m ui? nō ı̄ c qm actus s'
effc̄m g° et ius ut creatū nō sic
absorbeni p̄ extincias leg̅ dispēnt
aliquā q̄ lex sit t'ssfusa ımp'dio
aū p̄uacōn nō tn̄ ḡrit q̄ı possio
nē et io remanz exspirabilis de
of del ḡru c. c. lex Immo q̄ plus
ē ſ sin si q̄uetus offert se p̄batum
dāinū et q̄̄ iudex de clarit eū
dimit et si nō pecaverit p̄bāt sin
q̄ l ſ si possait de inof inof c. q̄
hat lex de qua in ff de iud' hos.
dr̄ ı̄ sim et p̄bāt q̄ iudex nō debz
q̄ inic' nisi q̄ petiti ē de ſ̄y. ſ hec
sty cofui' q̄ l. fi ē de fidei quns' liber-
ut si peticiū nes iudex nō sit ḡdip
ne ad excidacōz leg̅ sit q̄xā nec q̄
q̄licas ı̄. q̄ inic' ri posse sic ı̄ ne nō
exp̄ra ı̄ mo et repugnati q̄ Sed ut
tn̄ hos q̄ apieo sin ſ̄r ḡre ı̄ aliq̄bz
tacitis p̄ialibz ſ ı̄ ḡfessoria eā nrā
tr̄imonialī et b̄n̄ficiali Item ı̄ iudi
cibz ḡminibz ubi breorp ē actor p
reus ı̄ cā app̄ellāc' ı̄ bimer ı̄ ai
bz ubi berti poss' p̄uibz alz. hos
alii replicat rigore sin ſ hic ne
p̄bāt equitate q̄ tn̄ defendi debz
de inof rigore nec expressis admittit²
cet si ı̄ inf. ḡcludit, hoc sic agi? nō
suffit dic̄ nego q̄ ut narrat²

Item iudiciū ē cōe q° si reus petit
aliq̄ tacite vel expresse iudicabit q̄
eo si g° excipit de dolo tacite pe
tit se dimi ~~de la~~ declari al nō
assumit hon? q̄d' q̄ ad exclusionē
actoris nō erat necē q̄ re dāmnū
q̄ ipso nō q̄to reus absolutum
tn̄ g° tacite pecierit p̄mit li²
Et q̄ hoc vim ad alt.' ſ
hos q̄ hic ubi ē petit° si tacite nri'
de talibz p̄ialibz quos dat ı̄ talibz
nā p̄ialicas ſ incabz q̄icti dicas .
iudex ı̄ p̄dit offm nō mercena
riū de hoc tn̄ dubio de inof
inof ad irdim n Tercio q̄ipz
sin bera q̄. l. finale ff ubi poss
2 q̄ id q̄ hz n q̄ ij ı̄ p̄rı̄° c. q̄
l. de qua ri ff de iud' de ea pos
cū pup Item q̄ nō debz licere ac
tori q̄ ut ı̄ r. nō dez ubi Item
ı̄ actōe q̄li. ubi quos dr̄ alii
abnoxiū absolui reus b3 hoc
nō petat hoc tacite de ea pos
cū certa sit q̄ nō² de resp expte
nom c. de ḡ sui cū inter ubi sit²
sint q̄ nō peteti Item reus licet
q̄ta tacite dr̄ p̄mant inq̄ nō de hoc
q̄s c. bno q. p' ubi' aut hic
nichil p̄ponit se restitui ı̄ modū
restitucōs c. tūc sic due p̄mitac
petitōes et sic termabu.² Ad
ı̄ modū excepcōs et tūc debz ad
p̄mitti bz dico q̄ p̄bet si nō restituit²
de ordē ḡ c. in hos volunt dicē q̄
inter p̄° excipit et p̄ia agit p̄mū
ı̄ p̄dat q̄ cessum ſ q̄ad² ḡcacōz
restitucōs vel ſ sin inter tn̄
egit c. si dicto q̄ tūc sic erat
tari debet Tercium sin q̄ manet
exequo illa aut.cū p̄o tantū ed
nō erat p̄cedēdū ı̄ actu.ale p̄a
q̄ p̄sm² ı̄ reus vel dic q̄
hz p̄olito erat notoria ſo n q̄ı
tenuit hoc p̄ialz tn̄ agi² p̄p̄
eadē ri c. dicebat hoc ratō
p̄ractican In alio cāu q̄°

q materia et [illegible] [illegible] et [illegible]
mixtos actus. primum quod petitorio mixto
querebat respectum quod possessorio dicitur
aliud possidere agens in eodem est
dicitur petere possideo non obstat quod dixi
in q[illegible] [illegible] possessorium [illegible]
possessio quia [illegible] facere quod [illegible]
fuit utrumque separari quia licet possint
separari non tamen procedunt [illegible]
[illegible] effectum restitutoria et [illegible] prodest
alium [illegible] ubi agetur petitorio
et possessorio super diversis rebus quod tunc
sunt mixte petitiones et tamen separate
et in eadem sunt terminabuntur
[illegible] tamen si agerentur
super eadem re et alia ratio quod [illegible]
[illegible] non possunt utrumque tractari
quod petitio restitutionis negatur [illegible]
[illegible] non est hic agetur [illegible]
petitorio et possessorio quia prius
expedietur possessorium [illegible]

possessione [illegible] [illegible] de [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] quod petit de [illegible] [illegible]
[illegible] restitutio rei et omnis causa
[illegible] et hec [illegible] agatur [illegible] bone
fidei [illegible] ff. de [illegible]
[illegible] bone fidei [illegible]
[illegible] et si petitur [illegible]
[illegible] percipi [illegible] [illegible]
[illegible] [illegible] et [illegible]
[illegible] ff. [illegible]
[illegible] ff. de [illegible]
[illegible] petitione ff. [illegible]
[illegible] non [illegible]
[illegible] si non percipiatur
[illegible] si non [illegible]
[illegible] et [illegible] non [illegible]
non potuit postea [illegible]
[illegible] de [illegible] ff. de excep.
rei iudicate [illegible]
[illegible] in [illegible]

fuit a [illegible] [illegible] possessori
et accessorio [illegible] de rei [illegible] [illegible]
[illegible] si non obstat excep. rei iudicate
[illegible] hic non [illegible] si [illegible]
fuit [illegible] [illegible] non obstat
[illegible] si [illegible] agatur [illegible] hec [illegible]
quod ad aliud [illegible] et ad [illegible] ut l. cum quis
[illegible] ff. de excep. rei iudicate [illegible]
[illegible] [illegible] fructuum qui
[illegible] sunt percipi et extantes et [illegible] quidam
sunt soli separati a solo quidam est in hac
[illegible] [illegible] [illegible] usufructuarius
[illegible] [illegible] [illegible] possessor bone
fidei [illegible] [illegible] quod in hac
[illegible] usufructu et bone fidei
possessore [illegible] fructus separatos
a solo est non [illegible] [illegible]
separati fuerint bone fidei possessor [illegible]
usufructuarius aut [illegible] separatos
[illegible] ut [illegible] bone fidei
ff. de acqu. re. dom. [illegible] si usufructus ff.
quadmodo usufructus amittatur et l. si
[illegible] ff. de usufruc. Quidam sunt [illegible]
[illegible] et [illegible] quidam [illegible]
[illegible] [illegible] sunt et [illegible]
[illegible] et aliqui [illegible] sunt pendentes
Alii dicuntur [illegible] quia non [illegible] percipi [illegible]
culpa [illegible] non colunt Sunt
et fructus naturales Sunt industriales
[illegible] in quibus plus operatur [illegible]
industria [illegible] ut pira et poma [illegible]
industriales in quibus plus operatur industria ut
grana Item quidam dicuntur pendentes quidam
[illegible] Item [illegible] [illegible] titulo [illegible]
[illegible] titulo ut ff. de [illegible] [illegible]
[illegible] Item quidam possessor male fidei quidam
bone fidei de quibus [illegible]
[illegible] et [illegible] possessor [illegible] Item
quidam [illegible] aliquem [illegible] [illegible]
post [illegible] [illegible] [illegible]
[illegible] possessores [illegible] bone et male fidei
quo ad restitutionem [illegible] ut l. si [illegible] ff. de
here. pe. et not. glo. l. [illegible] ff. [illegible]
[illegible] Alii dicunt quod [illegible] [illegible]
fructus debet restitui Alii quod [illegible] male
fidei [illegible] [illegible] [illegible]

ut C. si et C. bigilanti de p̄s̄pi / de p̄
repino an tñr tñ q̄ malis multis
possessor fruct suos uc. l. fructus ff. de
usufruc. et ff. de acqui. re. do. l. boe
fidei uibero extant vendicantur a
quocum possessore si sūt q̄sūpti q̄ducitur
q̄dicc̄ si cā ut l. si mala C. de q̄d.
ex lege vel q̄dicc̄ furtiua a boe fidei
possessore q̄sūco est si cā lz quidā di
cant q̄ solū i quātu locupletior
fcus ē. ¶ de i dustnalibus attēde
q̄ p̄cipiēs illos aliū possidet nō ma
la fide et sine titulo et tūc tūr de p̄
repino et p̄cipiēdo s̄ dcc̄ ¶ et ita
tñ dicit q̄ nō distiguit. an hēat
titulum vel nō q̄ tractatur ad p̄cipiēs
vel p̄cipiēdos et hoc apert̄ mala fides
¶ Aliqui tñ dicūt q̄ nō distiguit an
hēat titulum vel nō q̄ tractatur ad p̄cip
tos et p̄cipiēdos et hac apert̄ mala
fides ¶ Aliqui tñ dicūt q̄ si cū titulo
nō tñr q̄ resp̄ p̄ nāt p̄. et tūc q̄ plu
i l. certū C. de rei vendi. cadē titulo l.
fundū et cadē titulo / i i tercio aut
recupāda vēnit a die de vettās ut
l. v. C. eodē ff. de bi. et bi. ar. ¶ Aliq
hos i dustnales p̄cipit possidens bo
fide. et tūc si sūt q̄sūpti nō q̄ducitur
glose tñ dicit alicubi q̄ tūr i
quātu fcus ē locupletior alibi q̄.
vna glo ē i scitu de of. iudi. q̄. ⁊ et
alia i scitu de re. dimisse q̄. si a nō
dno. Aliq̄ q̄cordāt distiguētes fructus
nāles ab i dustialibus ¶ Alii distiguūt
possidētes titulo q̄ carētibus prior opio
vidua et hēc p̄cedit i possessore boe fidei
vel q̄ multe s̄ aliū sūt possidētes
certo tpe et bo. fide ¶ Aliqui quo ma
la et tūc aliū i cipiūt bona fide et
sup̄venit bo. et tūc equipantur sup̄
q̄ boe fidei possessoribus aliū i cipiūt ma
la et sup̄venit bona et tūc distiguūt
qa de quo tñ dd. n̄ for̄ i C. vigilanti
et C. si de p̄s̄pi et n̄. possessor i dd.
¶ Bolino i fut. q̄lis fructus petatur
q̄ p̄cipi acio an lite q̄. tñ a quacūq̄
q̄tantes vendicātur ut l. i. re. et
l. offm̄ ff. de rei vendi. q̄sūpti q̄ducūtur
q̄dicc̄ si cā ut l. si mala C. de q̄d.
ex lege vel q̄dicc̄ furtiua a male
fidei possessore ide s̄ quesita de p̄cip
tis p̄. mora q̄troversiam l. male
fidei sup̄venit p̄cipi an lite q̄. tñ
a quacūq̄ possessore extātes vendicātur
q̄ n̄ possessor illos fac suos ut l.
fructus de usufruc. q̄sūpti nāles a
boe fidei possessore s̄ quesita tāliter
q̄ducūtur s̄ alios solū i quātu
locupletior ē. effcus a male fidei
possessore i distincte ¶ Industriales
aut a male fidei possessore vendi
cāt q̄sūpti q̄ducūtur ut utriusq̄
sl. a boe fidei aut possessore extātes
nō vendicantur. s̄ p̄ offm̄ iudicis
q̄nale petitur ut l. si me certū
ff. si certū petatur vel certi q̄dicc̄
q̄nali ut l. certi cadē titulo q̄sūpti
aut n̄. vendicat̄ aut q̄ducitur a
i hoc excusat bo. fides lz aliq̄
dicāt q̄duci i quātu locupletior
ē effcus si. C. ¶ Alij. extᵃ C. alius
¶ Si qui nō possedit
restituo denegarunt. p̄o. p̄ii.
q̄ sicio et fā. minao. ii. p̄ii.
differ. ubi i telligētes et hic dicā
q̄lico lucri q. et tēporib. recepte me
gocii sufficiētor i finacti fuit i n̄ sp̄
ad spām iii. solides pō dicā habm
q̄ p̄bat q̄ p̄ p̄sone soluta nō q̄
doiniū diquo videbis de re iudi. cū
Bartol. p̄cessoribus q̄b̄ p̄cedēs ob
dictam fide tractat si nō q̄b̄ p̄
cessori si fcā erit arg. in tali. f. de
uniusq̄ libertatis ingrati militū
¶ Nota q̄ p̄ pluris q̄dicio agit et
defendit p̄ceīus sibi subiectos de
iudi. cū depositi. Item q̄ actus p̄ssep̄s
i elācā q̄dicio nō sortitur effcm
ad q̄dicc̄ purificata de ap. p̄batio
de q̄d. apud vos. Itē q̄ lz verba
bi repetitare credantur i glo. Itē
q̄ quis p̄osteriori possessione p̄ aliam
colore tuetur i glo. ¶ Illa ipsa

et effectu, quia retinuit possessionem dicit ea donare et alius retinuit dominium. Tu oppono quia videtur sufficere solo verbo possessio scilicet cum donatur dicitur possessio probat possessionem si retineatur in traditione rei non videtur fecit quod ipse qui retinuit sibi possessionem non dominium [illegible] de re uidi cum Bartol. et d. Io. quod non dicto potest proprie persone. Oppono quod non [illegible] sacre non potest [illegible] dominium quia rei sacre [illegible] de re dumtaxat [illegible] non potuit retinere [illegible] retinuit dominium constitutum ad unam specialia [illegible] altari vel retinuit quantum ad tunc vel retinuit dominium constitutum ibi ora- torium. Oppono in de feu tradita fuit possessio [illegible] possessio [illegible] plenum [illegible] de [illegible] et ibi [illegible] si fuerint [illegible] debuerint [illegible] et [illegible] in [illegible] quo [illegible] possessio non fuit [illegible] sub conditione que non purificata non censetur tra- dita. Oppono in quod mandat fieri [illegible] in quo et [illegible] sub- [illegible] [illegible] non [illegible] uerba [illegible] Oppono quod videtur quod non [illegible] generalis [illegible] debuerint agere [illegible] legitimus administrator [illegible] et [illegible] doceri. [illegible] agitur [illegible] [illegible] loci et [illegible] agere [illegible] ut [illegible] si agatur generaliter de statu ecclesie [illegible] generalis agere ut [illegible] vel [illegible] quod [illegible] agatur [illegible] agere generalis et specialis [illegible] generalis [illegible] [illegible] manualis [illegible] qui [illegible] et [illegible] ut [illegible] qui [illegible] possit [illegible] et qui [illegible] possit et [illegible] qui [illegible] legis [illegible] [illegible] manualis [illegible] generalis [illegible] [illegible] ea [illegible] generales et [illegible]

plena subiectio spectat ad generalem [illegible] si [illegible] subiecta [illegible] specialibus, alii [illegible] libus [illegible] quantum ad specialia [illegible] [illegible] spectabit ad illum cui subiectus [illegible] specialibus [illegible] ad illum cui sub [illegible] qualibet et demum ad parochianos. Videtur tamen melius dici quod [illegible] spectat ad [illegible] quod ipse [illegible] ordinatur [illegible] [illegible] basilice [illegible] quod arbi- trio [illegible] relinquitur ut [illegible] quos [illegible] debet [illegible] ad specialia prior et precipua cura [illegible] et de rebus et non aliter . . . . . . [illegible] [illegible] et [illegible] subiecti et [illegible] de [illegible] archi- [illegible] de [illegible] archipresbiteri [illegible] archi- [illegible] de [illegible] archi [illegible] [illegible] eligere meliorem ff. de [illegible] pula. [illegible] quantum [illegible] [illegible] eligat. Alii [illegible] poterit [illegible] [illegible] et [illegible] fuerint autem [illegible] [illegible] [illegible] [illegible] legatorum. Ad hoc oppono de c. edoceri de rescriptis [illegible] quantum ad [illegible] non [illegible] qui [illegible] possit [illegible] subiectus [illegible] [illegible] de alias administrantibus qui [illegible] et [illegible] [illegible] [illegible] de quibus de statu monachorum administratorum [illegible] [illegible] [illegible] administrator [illegible] non [illegible] specialia [illegible] specialia administrat et alios [illegible] [illegible] mortuus [illegible] prelato ecclesia [illegible] legitime defensione [illegible] non [illegible] [illegible] ecclesia [illegible] prelato [illegible] [illegible] [illegible] possint agere [illegible] defendere ut non [illegible] possit non [illegible] ecclesia [illegible] [illegible] [illegible] c. de [illegible] Oppono [illegible] [illegible] [illegible] ff. de [illegible]

a iur., si mis[illegible] / [illegible] repetit

Q° si p⁹ miti h⁹ bellū gñale ī dixi ꝙ
principi s; ī duce speciale bñ licz ī servo
ri dūmo illud fiat cū moderamine
ī culpate tutele ut l. j°. C. unde vi
et l. scientiam §. qui cū aliter ff. ad
l. aquiliā et ī hac moderamine requirit
paritas armorū q² ꝯcurrēte cū pug
na nō ad cū ante ꝑcutē ¶ Quid si

pone (margin)

ī ede dubiū robustus velt ꝑcute cū pugno
[illegible] cū gladio nūq; poterit dico q nō
q² hic nō ē paritas
q² hic nō ē paritas armorū [illegible]
dico q² subrogatur ī locū forti[us] de
X q̄ntū ad defensiū p° bñ licz s; q̄ntū
cū ad defensione reꝝ nō licz nā q² ibi
oſtend illatā p° licz q̄ncū q² si aliter
nō posset q² ad eius ī iniā nō p̄t re
mediari p iudice C. de ap. l. si quis fuit
ī q posset [illegible] fure ubi nō cognosco
[illegible] nō posset hr̄e remediū iudicis ff.
ad l. cornelia de sica. l. furē [illegible]
nocte nō aut si p iudice possit adh̄i
bere remediū nō licz nisi cū modera
mine ī equalite armorū nō [illegible]
q² nō debeo ī ꝓpriū ꝑcute ad. nō pos
sit tūc est ꝯtra [illegible] ut l. furē §.
[illegible] et l. j. C. unde vi et l. iiij. C. eo.
ff. eodē ti. [illegible] ē [illegible] vide
p̄ime agere ubi d. est ꝓ so liter
ī sequi C. qn liceat unicuiq; l. unā sic
est ī ī contrariis domorū et [illegible]
ff. ad l. cornelia de sic. l. si quis dolo.
[illegible] si sa de ane duce speciale ī [illegible]
tur nō de ꝑmutatore agraꝝ requirit
l. q fiat [illegible] C. unde vi

ī gñali (margin)

l. j. [illegible] illud ī gñali bene it
na aliqui ī telligit q fiat ī liminib;
violentie [illegible] ī eligit q potiē est p⁹
fieri dūmo nō [illegible] ad actū ꝯiūctos
tale q nō de eo q ꝑter ff. de testa
l. hered. publice [illegible] et si sa et pe ī q²
pmiū mebrū ff. ad l. aquil. l. sciam §.
cū aliter ff. de ī iusti. l. ut vi. l. ut
veniam q² si mebrū ff. de [illegible] l.
si quis possessione et l. iiij C. eo [illegible]

et p̄t [illegible] / [illegible] / [illegible] / [illegible] (margin)

q prima opio p̄cedit ī defensione p° q²
illa debz fieri fragrante crimine q²
p⁹ nō p̄t. tolli [illegible] ad illatū [illegible]
ī defensione reꝝ q p̄nt eē p⁹ actū
recuperari ī hac q° cāu p̄cedit s²
opio ¶ Quid si [illegible] q q° videt aliū
actū ad p̄cuciendū aliquē q fiet
dr̄ [illegible] [illegible] ꝓ° [illegible]
an [illegible] p̄t sine ꝑcute uel cū de
liberatione ut l. ū [illegible] ff.
de pugnis [illegible] et. l. si fug ¶ Quid si
q nobilis videt rusticū [illegible]
[illegible] et p̄t fuge [illegible] magis debet
fuge dicit quidā q p̄t [illegible]
q² licz posset fuge nō tn̄ p̄t ī [illegible]
q ē [illegible] ī [illegible] et illa [illegible]
[illegible] nō p̄t ut. l. [illegible] ff. si q° [illegible]
[illegible] licz repelle [illegible] vi cū
[illegible] ad [illegible] [illegible]
q p̄t si fiat [illegible] ad actū
[illegible] ¶ Quid de defensione [illegible] de
[illegible] q² nō licz nisi [illegible] fragrante
[illegible] licz vim repelle q violentiā
[illegible] [illegible] q p̄t [illegible]
[illegible] ut [illegible]
[illegible] repelli [illegible] iudice [illegible]
[illegible] q² tūc remedia [illegible]
[illegible] [illegible]
[illegible] q [illegible] bellū ī [illegible]
[illegible] nō debz pugnare p̄t [illegible]
[illegible] [illegible]
[illegible] et p̄t [illegible] pugnare [illegible]
[illegible] si nō [illegible] de quo de hac [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible] [illegible]
bellū [illegible] [illegible]
si nō [illegible] bellū [illegible]
dūmo [illegible]
et [illegible] ff. de [illegible]
l. ī [illegible] [illegible]
[illegible] p̄t [illegible] q nō

nisi [illegible] bellum [illegible] capitis [illegible]
[illegible] contra [illegible]

[illegible] bellum [illegible] ff. de
[illegible] ff. ne [illegible]
ei qui in pos. mittitur l. si quis
missus [illegible] ff. [illegible] l. ij
[illegible] bello
[illegible] non efficitur [illegible] ff. de capti-
[illegible] l. non dubito et l. hostes. Bellum autem
[illegible] dicitur [illegible]
[illegible] qui [illegible] non [illegible] et [illegible]
bellum [illegible] illos [illegible] quos non [illegible]
[illegible] ut [illegible]
possessione [illegible] principis in ferendis
[illegible] defensione legum [illegible] et
[illegible] glo. iij [illegible]
[illegible] principe de [illegible]
[illegible] bellum [illegible] si non [illegible]
[illegible]
[illegible]
[illegible] principes qui non [illegible]
[illegible] bella ut l. hostes ff. de capti.
[illegible] si [illegible] non [illegible]
[illegible] scandalo recuperare et [illegible]
[illegible] ad eum [illegible]
[illegible] restituere
[illegible]
[illegible]
[illegible] recuperare et [illegible]
non poterat aliter recuperare et [illegible]
[illegible] scandalo et [illegible]
[illegible] non [illegible]
[illegible]
[illegible] bellum [illegible]
[illegible] et [illegible]
[illegible] de [illegible]
[illegible] ecclesiam [illegible] pugnare
[illegible] et bellum [illegible]
[illegible]
[illegible]
bellum [illegible] et [illegible]
[illegible] de [illegible]
[illegible] non [illegible] ad [illegible]
[illegible] ad [illegible]
de [illegible] non [illegible]
pugnare [illegible]

[illegible] et [illegible]
[illegible] de [illegible]
[illegible] pugnare
[illegible] et [illegible] de [illegible]
et [illegible] de [illegible] et [illegible]
[illegible]
[illegible] et
ecclesiam dei [illegible] pugnabis
ecclesiam [illegible]
[illegible] capti-
vi in bello [illegible] efficiuntur servi et
non [illegible] olim interficiebantur [illegible]
[illegible] ut [illegible] et servi efficerentur
[illegible] capti in bello [illegible]
[illegible] non efficiuntur servi [illegible]
[illegible] in bello ad [illegible]
[illegible] et [illegible]
[illegible]
[illegible] et [illegible]
[illegible]
non [illegible] non [illegible]
[illegible]
[illegible] et [illegible]
[illegible] bella [illegible]
[illegible] non [illegible]
et non [illegible]
[illegible] et [illegible]
[illegible] bello [illegible]
[illegible] et [illegible]
[illegible] non [illegible] in dictum bellum
[illegible]
[illegible]
[illegible] non [illegible]
[illegible]
[illegible]
[illegible] et si [illegible] non
[illegible] de [illegible]
[illegible] et si [illegible]
denegat et [illegible] qui [illegible]
[illegible] de [illegible]
[illegible] recuperare [illegible] de [illegible]
[illegible]
[illegible]

in continenti

[illegible] qui dicatur in continenti. Quod si post aliquod
... dicit lex. de violencia quam infert
propter hoc et tunc in flagranti actus ff. ad
l. aquil. l. scientiam § qui cum aliter
C. de illicitis rebus et tunc dicitur [illegible]
... ad actus contrarios ut ff. de vi et vi
ar. l. si quis possessionem et l. iii § cum
igitur. Item dicit quod cum illicita et vio
lenta possessio non potest auferri C. de ap
l. si quis in iudicio ... quod quomodo fuerit
[illegible] adiudicata sed quod potest
in rebus potest auferri et si statim fiat
non [illegible] vindicta. Item moderamine
[illegible] equivalentia in actu violento ut
quod fiat ad defensionem. Item quod ille
fuerit dicitur [illegible] propter
et potentie corporis [illegible] robustus
[illegible] aggressus a vili et [illegible]
fecit cum [illegible] ab evadere [illegible]
ad vindictam non dicitur ad defensionem
[illegible] quod ... quod sit
in continenti propter ad defensionem si ex
intervallo ad vindictam [illegible]
in continenti fieri ad vindictam ut si
aliter evadere poterat. Item quod
violentus qui me expulit vult
[illegible] de restitutione si appa
reat [illegible] meam et ego
[illegible] expello [illegible] glo. l. i. C. [illegible]
ubi quod videtur fecisse ad vindictam.
[illegible] replicant glo. quod dubium [illegible]
[illegible] fragili [illegible] ff. ad
trebel. l. qui poterat. Item
quidam nobilis [illegible] a quo
[illegible] et posset evadere [illegible]
fugiendo sed hoc reputaretur [illegible]
ad in [illegible] cum [illegible] de [illegible]
[illegible] aliqui quod illicite egit
[illegible] l. scientiam § qui cum aliter ff. ad
l. aquil. Moderni replicant [illegible]
l. [illegible] ff. [illegible] ...
[illegible] § qui cum aliter [illegible] non potest
evadere [illegible] detrimento in [illegible]

[illegible] et fama non potest [illegible]
[illegible] ff. [illegible] testa. l.
[illegible] et l. [illegible]. Item quidam
aggressus est ab alio [illegible]
[illegible] et [illegible] cum
dicitur quod illicite egit [illegible] l. si [illegible]
[illegible] § [illegible] ff. ad l. aquil. et l. [illegible]
[illegible] § [illegible] in collectatione [illegible]
[illegible] ut dolosus vel culpabilis
[illegible] quod ut culpa [illegible]
[illegible] ff. ad [illegible] l. i. § qui
ff. de [illegible] l. iii § cum quidam et hoc [illegible]
de [illegible] ut [illegible] ff. de [illegible]
alii [illegible]. Item [illegible]
lenta [illegible] possessori
illicita rebus et non [illegible] glo. in
l. i. C. [illegible] quod non. Alii dicunt quod [illegible]
[illegible] in [illegible] offensi et tunc potest ff. de
iniuriis l. apud labeonem § si quis [illegible]
aut non potest. Alii ut [illegible] tenet
in [illegible] quod potest [illegible] possumus
[illegible] ff. de neg. gest. [illegible]
[illegible] et [illegible] C. de [illegible]
[illegible] l. [illegible] l. gracchus C.
de adulte. Item [illegible] mandat [illegible]
ut occidat [illegible] de adulterio habe
[illegible] et occidunt cum [illegible] in
[illegible] excusabitur [illegible] quod
excusatur [illegible] et [illegible]
in capite [illegible] ut l. [illegible] C. [illegible]
et hoc non poterat aliter evadere ut
l. [illegible] de hoc. Item quod violentia a
[illegible] potest [illegible]
[illegible] et [illegible] officium ex [illegible]
et potest [illegible] C. de [illegible] l. prohibitum
[illegible] ex officio et tunc si [illegible] et non
potest [illegible] et tunc si non [illegible]
[illegible] quod non potest [illegible] et tunc potest
[illegible] ff. de [illegible] l. [illegible]
non [illegible] in glo. [illegible] dubitat quod
si [illegible] possessio [illegible]
non [illegible] quod [illegible]
ut [illegible] quod [illegible] ut [illegible]
[illegible] si [illegible]
[illegible] aliquis [illegible] et
[illegible] de [illegible]

ut ordinatur de fructo no[n] est i. eo titu[lo]
cum tangitur ut fructus i. fi. glo. dat
modos quib[us] amittitur possessio qui quis
possidet quod per se et animo et corpore ut
ille qui fundo ut et per se fundo
ff. dicitur aliquis qui i. mente retinet
i fundo possidet naturaliter placentini tenuit
qui quocumque vadat utrumque retinet q[uod]
reprobat glo. i. l. i. ff. e. t. quod si q[uis]
duo possiderent in solidum si illa vice
dum alter ingredit[ur] ille est possidens
albericus dubitat qui processu possidebat
naturaliter. ff. dixi qui sivero sit i.
quasi non possidet naturaliter illud recedit
vel nimis remote vadat a fundo
aut celeritur qui recedat sed alter
ingreditur vel non recedit solo p[ro]
dandi possessione intendat quis possidens
per se naturaliter tamen ut expressit et illa
non possidet quocumque vadat. ff. post
quam colonus naturaliter possidet alii
aut alii dicitur primis
duob[us] casib[us] non procedit dico ut
l. fi. C. de acq. poss. ad hoc in collegit
ex aliis duob[us] procedit. C. tamen
p[ro] opposita dicit lex quod si colonus
moriatur et ego non dabo p[ro]ut ff.
de acqu. poss. l. si de eo quod i. quod h[oc]
si de p[er]it C. de [...] quod circa
ex p[ro]ter negligentiam appellandi
ex sit ff. a eam l. ulti. C. eodem
et contra oppositum ubi dicit colonus
non possidet dominus ff. de acq. poss. quamvis
f. i. C. ubi dicit domino transferendi
possessione p[ro] [...] ubi loquitur non p[er]
ut esse quod non h[abe]t animum transferre
ubi ut ibi no. [...] non p[ot]est
i opinione ubi colonus expellit dominus
possidet ff. de acq. poss. l. et qui q. i.
quia [...] ubi dicit non possidet
qui [...] ff. expiare
l. qui fundum i p[ri]n. ff. [...] parte
in illa lege ubi colonus expellit
si [...] impugnat p[er] modernos
per l. peregri. qui [...] explicans.

ff. de acq. poss. ubi si colonus dereliquit
dominus non possidet donec alter i. ingrediatur
et postea possidet ut ibi et l. si de eo eodem
t. [...] si opinio [...] modificatur
effectum i [...] l. fi. C. et [...] gradit
[...] l. qui non e[st] [...]
[...] ut l. ff. de [...]
[...] eodem [...] et [...]
[...] modernis
qui olim possidebat et qui expellat colonus
non possidebit dominus nisi alio i. ingrediente
[...] l. fi. C. et
ut sic [...] alio i. ingrediente non possidet
dominus ubi autem colonus possidet dominus ut
[...] ubi tradit non possidet [...]
[...] verba l. ulti. [...] mente no[n]
[...] vult lex [...] ne fraude coloni
[...] domino [...] quem [...]
[...] et [...] quod omnia sint fraude
coloni [...] quod [...] non e[st]
fraude i. animo [...] quod lex [...]
C. [...] dominio [...] olim
si colonus expellat et alter [...] ingrediebatur
possidebat dominus [...] non per l. alium
possidebat [...] possidebat [...]
[...] si [...] olim possidebat [...]
non p[er] [...] l. et [...] opinio [...]
ut not[atur] [...] l. fi. C. de acq. poss.
ultimo quod [...] mente l. qui voluntate
per alium actu coloni [...] possessio [...] si
expellatur colonus [...] quod i.
[...] no[n] [...]
[...] si [...] possent
non p[ossi]det [...] possessione [...] si [...]
et alii fuerint i. ingressi [...]
plus quam de [...] sepio [...] [...]
glo. [...] l. fi. et [...] de eo q[uod] i. poss.
[...] quod ille qui missus est custodie nisi
dat possessione non tamen possidet [...]

[...] quod petere [...]
[...] opponitur [...]
[...] et [...]
pare [...] [...] de [...]
[...] negabat [...] quo [...]
fuit [...] quo [...] alia [...] magis [...]
[...] thoma et [...]
ibi [...] tenebat [...]

in et erit sufficit qz si substraxerat
resistum (?) debebat e terciam hoc ubi et
ordo ipsius approbatur apiorum jo de q. ii
q. ii c. a. et de q. credisti e c expressi
one ad hic mutuo the dumpsp gcon
de ipo sup his facientibus de excep
tione admissione arguentes a nedu
gnetis hoc primorum qui dent resti
tucion inimie ioris multi e excusatio
e qu mi est cu aleo ad gheghema a
pare p. deinde nel stabili i i ferno
ipsa f gsigni excepcio cu no e de
gstitucione clementis blae apparens resti
tucion facta qm et qm no ecctie g.
ceceda mandato sufficit proud et tolle
mentos quos a tolliger jo de bato i
chatezimulacio c ii et ibi no. hoc
dicebat qz no suffic ecca hec eiu q.
porro d. in q hic repugnatur terui apio
d. hec q prima eu dat q dekay a purgari
[illegible] quatu ad apione ignot
mo quatu ad apias sectio no poss ee
p plexas apo di nerui thr i fra
restitucione quo ad thorum alia i fra
restitucione quo ad thoros et aut ea tur
purgerum pplexas gsid et copla
repugnanti fiat de h.c. sed hos de
per ego cu de placi q. et si defecit
i apo mandato q debitu reddat pub
debito mutato no eu reddit ut erit p
inrna gnitu ad eccliam tri upphante
si milicia apo eu q puro xq q iii no
ee hoc Aliogui si possit separari se
curitas. Nam qz i fenores aptis cognos
cit de causa matrimoniali, Nota qz tamen tort
no exaufit ire q. agere more possano
recuperande du sed e restitucione e e
i his fere mutatio de maliciat i alis
spualib hoc et de causis postulare de
mat. calup e c. a. i. x. Nam q petens
restitui ad quinque pt repelli exceptione
spoliacionis aliter hoc i fama
e q. q. qui d. q no est si excipiat q sit
spoliatum alius hoc et hoc patet puta
ute iste q no fuit si gfessio p de
excep cu miter de spu caponis qui

multa
et qz e publica eae q corporis jai d.
ii p cupi dist. ii p fe corpori xdem
q. iii sthec et qz ma excepf q. q
cestim apti c admittendi de quinque lugi
c. si c. hec t. z. in c. c. eu illas de
or cag e et qz agere de spuali
fuit c. frequens i fi f. c. t. tibi
mag pt offert exceptio cyo q. pt
agere ne q spe de or cog c. in a
c. fi hec tom gsm ut e nu no fit
offert aliquat ut hoc petitur eam q hi
liceo pro ubi genitur duo regle
repugnantes mior cedit nuchori
de of f Colentes et mis pictium malis
mediof apud som di nerui et nt
dicit jo de gref p eu privle et
fuit h eu qm appt potium duo i
petitur restitueno ut fit et ho
credo hec e dispute ubi hic petit
restitucion et mihi excipit de eyo
a mili pt cadere hoc eyo xi q.
ii qm mitas forte sexus ubicq
cur nec stadi regule appto putiny
racione est hoc no pt privilegiatis
ut communis exceptio eyo. [illegible]
eyo offo poss restituere ut nat
xo q ii q. iii qm mitas et ep. [illegible]
et c. admittam deinde nisi e [illegible]
expressio a fuit cesser hic no plus
qz no solu e publica canonis eyo
qz no solu e pictum canonis eyo
excipit gneti a ino et mitis et aliarum
qm i mdea appar hoc g mihi pt
privilegiata est communione ut
e qm mitas xi q m no est mitas
ut aly q ncts appar mulco et gram
utrum eyo offo repelli de excepcione
i hec fere no hic si admitti eyo
exceptio ubi offerunt prius i grme
ei [illegible] e fi. de in hec
q. qz si eu hoc gsue dicit mitatis
i mortub no eu a maioris, ille
no de ep arch c. fi de fo gpe au
gengnt d. q. hic arch cognouisse
exceptione mandato ut exequendi grosse
archiepi nec [illegible] priuilegio [illegible]

nec ubi excipiendo
spis si ipsius
pt ect uet g
apio regio [illegible]
sit eccle di [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
ees

[illegible]
tex
si ux
[illegible]
[illegible]

[illegible]
[illegible]

glo e breuer qz cognosse de quo
non e ordo equalis a mo imp[ar]dens
q sit bn apptibilia et pp[ar]spita
et mor et maxim q a pio ut no
i c cu gingate q ale — Anglo
in ibi sp gnm cred fuit q no a c
bno q de a firmi et de duor pg ti
[illegible] offices .capitulo glo expellens
no possone q dicti q dt q[uo]mo
dnium [illegible] recuperandi ff de acqui
pos l. si quis bi q dit [illegible] dt hos
q h posso e privilegiata si p[er]dere
pilo dno et si p datur pilo dno e qz
recuperatur q qz de pio dno c. i
et e h posso recuperat i qua possessio
possidebit — Anglo no vult ibi
in admonitiu glo e pta hic et
ibi not glo et ibi melius vz g
et ibi collaterali l. i. liuet capli q
filii duorum fratrum bn poterit
semitii lege si prius nupsit no
et sit furti iudici — Anglo plt — f. li. io
ibi dicitur hec verba f in nupsit a mor q tr nihil
te periss absolutiu de ren ejo a c assiptu
nob n vel nupsi certa videns si de tristis
cepta p.9 mente ipm absolutionem — neque
l pro e exp te — exprimi [illegible] de ssi
cedi petris a separat uxoris h p re [illegible]
ingerit legitimi ex qpp ii pio pot
apuda mulieris ptn de pisa f.o
nudatur dicitur in ibi qz r b solutio q
nudatu dicto ii ibi qz i soluit q
no potuit [illegible] dessint et dicunt apostol
dicebat gof q mire pio hec bn po
terat et q dicit qz bz pio petiit
restitutio et excepit q mtr no
paterat ee i iudicio q pcure
qz mor et q rupsit fuit hec licite
a cti matrimonialis et nullam q muci
u precessisse hos dicebat q indices
dubitauerunt et concluserunt possedum
p.m Bernus canonicu q ter[ti]i
de pro a pu de illis dici dicit
q canonicu — cap q mera separanti
legitimi no q g[ener]atur proposita glo i a i
glo — Ita q inter a [illegible]alibus q legi mai
a pom pend e uidere de uia c. vltra

Ite q ei q no apparet no apparet i tercium
de of del q. a q pulsatoribus — Ite q dt bo
qz addiscit effectu de solutio — Ite q a
matrimonialibus debz terminari f ius canonicu
— Cap. oppo qz plus pi q filii e pretiosa
h i tuit suis pilis no e de patre pita a tota
g. vz q prius no fuit hanc peccatum i. de
matrimonii contrait q moti et c. i. cum apud
cotter app. — Ibi pet que remittit de
dispo a pu c. i. de matrim contrait q ater
et c. i. cum apud cotter app et hic hos
dico q certa si pro no q pilat et ipsa faciat
cohabitare et cu [illegible] perz [illegible] sig et pla
ratificauit reatu ad c a de dispo a pu
q medium prius sz etc quibs alter coniuges
pit nocere aliis pubertis prius vel pla
ratificationis q hec nomen ut no i de c
a et de dispo i pu tali — cap ii et
uz q ex pp habitudine nuli poterit licitum
q excepto proposita id gof fuit quo — hos dt
excepto proposita ut poss puberis q hec p uiu sorius
q petiit ut poss puberis q hec p inni corius
de iuris rigore qz poterit nubere et pu
sive dnuo f sori cu a ghiles de clam
dispo de pio — cap clus tegure pro
habitis i modu exceptio apparet no ge
a gaudere quo restitutio de or cog c. ii
de dicebat hos q pio excepit pro cgit iudicat
q de equitate iuris canonici pro pt et ppt
q de equitate iuris canonici pro pt et pet
ptra utrocq mo q i. vz qz tenetur apud
iure ad duos q rescipos effectus sic q
vz pi e cognitione et decor cog c. vlt
et hec qz filialis expedit actio ff
si certu petetur l quedam ff de lite ta
l si pariter ff ab. c exhibita de iudi
qz ibi confundit iuris ordo — cap am
q pio mihiudat si iudice q iudex dat ord
de actus cognosci a pit de iudic. bo qz
qz pies a ea pri uxp ualet adi
dicit de ut e dixi q hoc io qz
plicatur tenetur ad duos effectus s ad ex
ceptio excitandam et ad liuam optinendam
uel de q inter pila petiit — cap in qz
uz agio fuit bn q si precessisset posita
proposita q precissa mec dem vn vi fuit
dicto — cap de c exam nunquam et c. ex
q qoe et. vbi vi q pfeam canonicale

possessione iuri. Videtur quod quamvis per contrarium sit
et in fine possessio sit c. de acq. poss. l. si
si possessor sit solus et sic pro tot. debet
restitui ut c. in textu [illegible] d. In quod hoc
spirituale in matrimonio quia si non precessisset
matrimonium non posset inter cognosci sic
[illegible] vel si quis petierit restitutionem ratione
ut continetur libellus est [illegible] contrahere de vi [illegible]
vel expoliata [illegible] si laycus petit
restitutionem etc. vel clericus sic quod si
si laycus petit restitutionem de clerico est
eidem denegada ut not. [illegible] i. c. eam
de prescr. et est hoc possessio est dici illud quod
et [illegible] per quod vi. quia non admittitur filius
in eadem turpitudine vel iuris dispo
naturali de iure expoliata ff. si [illegible]
filiis non dicat l. i. et ff. de off. ass.
l. i. et id quod apparet de capitulo primo
[illegible] quia propter capitulam possessio fuit et
ei qui non possedit non datur restitutio
ut c. expoliatus [illegible] quod si [illegible] contra
per verba de presenti possessio ipsam vendicare
advertere clericus de iure canonico si si
sola presentia sit generata sic ipso iure
implorari [illegible] confirmat opinionem quod
non possit peti restitutio ubi precessit copula
quia cum intr. sit ingressa religionem
ut de quod coniugat ex publico [illegible]
quod secundo si clericus mittitur in tenutam
recuperande ad beneficium vel dicunt ad [illegible]
ancillam [illegible] quia aliquis dicitur
quaeritur dominus circa ancillam quod non
quaeritur [illegible] mercenarium [illegible]
[illegible] quia dominus [illegible] [illegible] [illegible]
[illegible] non [illegible] mercenarium quod non placet
hoc [illegible] alie [illegible] [illegible] [illegible]
non sit sibi quaere mercenaria sic [illegible]
[illegible] quod quando [illegible] non [illegible] ac in primo
[illegible] sit [illegible] [illegible] et [illegible]
[illegible] aliquis actus canonice canonice et [illegible]
alii et dicit [illegible] quod possessio canonicatus
et [illegible] [illegible] sic est [illegible] [illegible]
[illegible] [illegible] [illegible] ad possessionem
canonicatus [illegible] quod aliquis petit

ut canonicus in [illegible] [illegible] possessione
canonicatus [illegible] [illegible] hoc [illegible]
placet quod quod [illegible] [illegible] in textu ubi
dicit quod canonicus non sit sola [illegible]
restitutionem canonicatus nisi [illegible] quod [illegible]
ordinarii fuit in possessione [illegible]
[illegible] in [illegible] ad [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] ubi
canonicus vel alter beneficiatus petit
restitutionem ad beneficium ut [illegible] si [illegible]
[illegible] [illegible] [illegible] titulo denegabitur
restitutionem sic intelligit [illegible] [illegible]
filius [illegible] [illegible] si dicatur quod licet ubi
[illegible] possessione [illegible] [illegible] illegitimum
in parte [illegible] [illegible] [illegible] titulum
[illegible] quod si [illegible] [illegible] [illegible] ad [illegible]
in [illegible] [illegible] quod si [illegible] [illegible] an [illegible]
vel non non [illegible] [illegible] titulum [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] petitur ad beneficium restitutio sic in
telligit [illegible] in textu [illegible] [illegible] [illegible]
quod si petat restitui solum ad [illegible] [illegible]
[illegible] [illegible] [illegible] quod excercuit
[illegible] [illegible] fuit in [illegible] possessione [illegible]
unum sic intelligit [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
non placet [illegible] [illegible] an petat restitui
ad beneficium an ad canonicatum [illegible] [illegible]
[illegible] in [illegible] quod non restituetur
[illegible] [illegible] [illegible] de [illegible] [illegible] ut
[illegible] [illegible] [illegible] [illegible] [illegible] et
quia beneficialia sic tituli canonis [illegible]
tenetur [illegible] [illegible] ordinarii [illegible] agere
[illegible] possessio est possidens de [illegible]
[illegible] [illegible] quod non [illegible] in rebus
[illegible] [illegible] quod totum [illegible] in [illegible] [illegible]
ubi [illegible] [illegible] quod possessorum recuperande est
[illegible] [illegible] [illegible] non [illegible] [illegible]
[illegible] in [illegible] et [illegible] [illegible] [illegible] [illegible]
actum [illegible] [illegible] possessio [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] in [illegible] non [illegible] in [illegible]
[illegible] non [illegible] in hoc [illegible] [illegible]
[illegible] non [illegible] [illegible] ad [illegible] [illegible]
[illegible] [illegible] [illegible] canonicatum et [illegible]

[illegible] quo ad p(ro)p(rieta)tem cognitioni i(n) g(e)n(er)e
cu(m) utrob(i)q(ue) requirantur licet [illegible]
[illegible] alia(m) qu(asi) poss(essi)o [illegible]
et alia p(ro)bandi [illegible] et ipsa sit di
[illegible] m(atrimoni)i [illegible] cu(m) m. et lic(et)
p(ro)bet qu(asi) possessione(m) [illegible] no(n) [illegible]
restituetur ad p(ro)bandu(m) nisi [illegible]
possessione et no(n) credo q(uod) i(n) casu [illegible]
[illegible] petenti restitui [illegible]
[illegible] [illegible] [illegible] [illegible]
ex o(ffici)o [illegible] [illegible] uel [illegible]
i(n) cu(m) [illegible] [illegible] possessione(m)
[illegible] [illegible] iudicis [illegible] [illegible]
[illegible] [illegible] ut ubi no(tatur)
[illegible] cu(m) [illegible] ut et [illegible]
[illegible] [illegible] [illegible] [illegible]
qui no(n) [illegible] est a [illegible]
q(uia) cu(m) [illegible] [illegible] [illegible]
et [illegible] ea uxore [illegible] est [illegible]
[illegible] q(uia) alit(er) [illegible] uxores ad
[illegible] delictu(m) [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] uxore(m) et ita [illegible]
[illegible] eam hoc sufficiat [illegible]
ut [illegible] restitucio [illegible]
d(ici)t q(uod) hoc suff(icit) ad [illegible] materia(m)
[illegible] ad [illegible] restituc(i)o(n)is de quo
[illegible] no(n) [illegible] illud de p(ro)p(ri)e(tate) [illegible]
[illegible] no(n) dubitet q(uod) si [illegible] ita
[illegible] q(uod) sufficiat ad restitucio(n)em [illegible]
[illegible] [illegible] [illegible] [illegible] ergo
[illegible] [illegible] [illegible] [illegible]
[illegible] anno [illegible] q(uod) suff(icit) [illegible]
[illegible] [illegible] et possessione(m) [illegible] est [illegible]
copula ad [illegible] restitucio(n)is [illegible]
[illegible] [illegible] [illegible] ubi [illegible] q(uod) [illegible]
qu(asi) possessione i(n) [illegible] copule
[illegible] alia(m) [illegible] ad [illegible]
lic(et) [illegible] [illegible] [illegible] q(uod) [illegible]
ad petitione(m) restitucio(n)is [illegible] no(n)
[illegible] ad possessio(n)e(m) [illegible]
[illegible] [illegible] uxor q(uia) [illegible] [illegible]
copula(m) [illegible] [illegible] [illegible]
[illegible] [illegible] qu(asi) possessione(m) [illegible] [illegible]
no(n) [illegible] q(uod) [illegible] [illegible] religione(m)

i(n) [illegible] q(uia) cu(m) hac [illegible] q(uod) [illegible] [illegible]
qu(asi) possessione(m) et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] qui dic(it) [illegible]
sola copula(m) [illegible] qu(asi) possessione(m) uxoris
[illegible] quo ad actu(m) copule [illegible] [illegible]
q(uod) [illegible] sola(m) tradic(i)o(n)em qu(asi) possessio [illegible]
[illegible] [illegible] restitucio(n)em et [illegible] [illegible]
[illegible] carnale copula(m) inter [illegible] [illegible]
[illegible] [illegible] admittetur exceptio [illegible]
[illegible] [illegible] q(uod) [illegible] q(uia) carnalis
copula [illegible] [illegible] [illegible] [illegible] q(uia)
[illegible] [illegible] i(n) [illegible] mulieris [illegible]
[illegible] [illegible] q(uia) [illegible] copula(m) ne
gare et [illegible] forte [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] ad [illegible] [illegible] et
q(uod) [illegible] [illegible] [illegible] [illegible]
[illegible] et cohabitac(i)o(n)em [illegible]
copula(m) et [illegible] [illegible] [illegible]
[illegible] restitucio(n)e [illegible] q(uod) no(n) [illegible]
[illegible] de [illegible] [illegible] [illegible]
ipse [illegible] [illegible] et [illegible] ubi
[illegible] [illegible] [illegible] [illegible] et hoc
ubi [illegible] est [illegible] copule
de [illegible] [illegible] est [illegible] q(uod) [illegible]
[illegible] negante copula(m) [illegible] [illegible]
restitucio et hoc [illegible] [illegible]
[illegible] ubi [illegible] hoc [illegible] de [illegible]
[illegible] [illegible] ubi [illegible] [illegible] glose
[illegible] [illegible] [illegible] de [illegible]
qui [illegible] [illegible] ubi [illegible] q(uod) no(n) sit
[illegible] matrimo(nium) [illegible] [illegible] [illegible] q(uia)
errauit i(n) qualitate [illegible] [illegible] [illegible]
[illegible] [illegible] no(n) [illegible] q(uia) [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
de quo [illegible] [illegible] ubi [illegible]
[illegible] [illegible] [illegible] et [illegible] q(uod) si [illegible]
[illegible] [illegible] [illegible] et
restituetur de equitate [illegible] [illegible]
certe [illegible] et glo(sa) ubi [illegible] q(uod) [illegible]
[illegible] [illegible] fauore [illegible] et [illegible]
[illegible] [illegible] qui est [illegible] q(uod) [illegible] [illegible]
[illegible] certus [illegible] q(uod) si [illegible] [illegible]

[illegible] [illegible]
[illegible]

alteri [illegible] sunt ad equivalens ff de [illegible] l. plate [illegible] et aget [illegible]

[illegible] ex causa [illegible]

platz cum res sit integra [illegible]

[illegible]

[illegible] non [illegible] sibi [illegible] si non [illegible]

[illegible] sibi imputet [illegible]

[illegible]

[illegible] collier [illegible]

[illegible] favore [illegible] non

favore [illegible] non [illegible]

[illegible]

[illegible]

[illegible]

Interdum [illegible] non [illegible] quod [illegible]

[illegible]

[illegible]

ut [illegible]

[illegible]

quas [illegible]

[illegible]

[illegible]

[illegible]

ubi contra gestori negotia competit ubi
de negotiis gestis directa autem cum
voluntate vel ratihabitione competit directam a quo
in utili [illegible] ferri [illegible] ff. de nego.
gestis l. [illegible] §. hoc autem [illegible] a
principio competit directa et [illegible] de
[illegible] competere et competere utilis ubi
contra [illegible] ago venditione directa
[illegible] possessione et de primis possessione
et [illegible] directa et competit ubi
[illegible] in utili [illegible] simul ut
l. si autem ff. de rei vendicatione [illegible]
dubio ff. intentare directam ff. de here.
[illegible]
[illegible]

[illegible] actio ut si intentatur in [illegible]
[illegible] ad [illegible] et que erat in
fundo ablata et fructus de here.
peti [illegible] et [illegible] et l. i.
[illegible] ff. de vi et vi ar. ff. [illegible]
[illegible] et [illegible] ff. de here. peti. l. [illegible]
[illegible] fructus [illegible] et [illegible]
[illegible] ut [illegible] et hoc
[illegible] de iure debent ut [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] in possessionibus [illegible]
[illegible]

su petat et cu pertinentiis [illegible] i petat
et a pertinentie credere specificandu q
no accedit iure coi statuto vel [illegible]
sic q si cu ptinentiis [illegible] descripto ff
l. a ff de fundo [illegible] et [illegible]
l. ma [illegible] pertinente petit [illegible]
plus et [illegible] petatur ius [illegible]
relatie habita et [illegible] forte
sit assignata [illegible] de [illegible]
cu capella. ¶ Collige hic [illegible]
[illegible] q dt opinione [illegible] no possu de
fundi de iure [illegible] plus [illegible] i [illegible]
q [illegible] agendo [illegible]
de [illegible] fiendo [illegible] de ff
[illegible] ff de [illegible] l. [illegible]
[illegible] dt g q fiet ad iudice [illegible] opinione
habitam ff de [illegible] l. a. de [illegible]
[illegible] sit [illegible] actore [illegible]
i [illegible] ut l. [illegible] ff de [illegible]
¶ [illegible] opinione [illegible] verissimu [illegible]
ille petit cui de iure coi debentur
illa una ut cu eps [illegible] et sic de
[illegible] sit [illegible] illa [illegible] iure [illegible]
vel statuto [illegible] illa sola cedunt [illegible]
coi [illegible] [illegible] sub [illegible]
[illegible] nam [illegible] sit q
iure statuto vel [illegible] cu [illegible]
limitet [illegible] alius [illegible] si n. [illegible]
[illegible] [illegible] et no [illegible] eps tur
illa [illegible] [illegible] cu no [illegible]
[illegible] [illegible] [illegible] no [illegible]
no [illegible] hereditatis petitio sic no
eps no [illegible] iure coi [illegible]
petitio et hec [illegible] agere petitio
si aut agit [illegible] possessorio [illegible]
ff [illegible] [illegible] sicut in i c
[illegible] d. c. [illegible] si petatur [illegible]
[illegible] cu pertinentiis [illegible]
a [illegible] assignata et no [illegible]
dic ut. d. ¶ [illegible] [illegible]
[illegible] admittitur [illegible] dt
q no [illegible] no specificat iure [illegible]
[illegible] si [illegible] petitur hereditas
q [illegible] q [illegible] hereditaria
[illegible] [illegible] [illegible] ¶ i [illegible]

agelon [illegible] ad [illegible]
[illegible] specificetur no potest fieri
certa [illegible] ¶ de [illegible] q [illegible]
q [illegible] est [illegible] l. i. [illegible]
certa aut [illegible] si petatur
[illegible] cu pertinentiis [illegible]
l. [illegible] pertinentie iuris [illegible] certe sit
et [illegible] petere ut
q archi petit [illegible] archidiaconalia [illegible]
petere [illegible] ut archi [illegible]
[illegible] archidiaconalia de quo [illegible] c. [illegible]
[illegible] de [illegible] ar. ¶ [illegible] decretam
[illegible] durat [illegible] anni [illegible]
dt q [illegible] quo [illegible] ad
[illegible] durat [illegible] an=
[illegible] sit quo ad [illegible] dt q
[illegible] arbitrio iudicis
[illegible] de [illegible] per [illegible]
de novo / quidam dnt q [illegible] anni
no durat est quo ad [illegible]
[illegible] anni [illegible] no
[illegible] [illegible] de
[illegible] l. [illegible]
[illegible] clam [illegible] ut [illegible]
no accedit [illegible] posse repelli
[illegible] possessione est [illegible]
ut l. clam possidere [illegible] qui ad [illegible]
[illegible] ff. de acq. poss. [illegible] q [illegible]
[illegible] anno [illegible] neglige ut hic no
[illegible] fraqe [illegible] alius ergo
[illegible] ut iudex arbitretur
circumstantias [illegible] quae [illegible]
de [illegible] ut [illegible] denegetur i
[illegible] no [illegible] posset tradi certa
[illegible] ¶ [illegible] [illegible] possessorio
[illegible] glo hic [illegible]
[illegible] et [illegible] de [illegible]
[illegible] et [illegible] de nam [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] q [illegible]
[illegible] modu [illegible]
ff [illegible] [illegible] q [illegible]
[illegible] [illegible] et
[illegible] [illegible] certa
[illegible]

d. q cu apparitur p modu actionis e
dupplex precius si p modu exceptionis
tur n. i tei laboratoria lata supp pro
lauitu prim. appareat i modu actionis
i dic. e duplex tn qr i ponit
i iudicium de ducto fine ff de
re iudi l. i. tn qr i illa i stancia
n exquirit ulterior duplex tn
qr e lata inter partes et fine
du finit ponit nulla interlocutoria
ut not. de eo q i pn et p3 q opio
i glo uult de reqsitione pos. et de
re iudi et c. reqsitu de testi. In
glo nung ubi ponit regula dur ipso
de q glo alii ipso q. p l. no ignorat
i dat de ad exhibendu dixi d. q
si ille de cuius possessione agit fateatur se
possidere uero e prima deni q dicta
lex dmies si negat tunc est alii dur
prima aut i antiqua possessione si nova
pe. d. q ubi no p tertium medio qre
possedisse prodit si opio glo hos in
probetur uetus tum di uendicat
hoc ratiotor appar et hec texum p c ii
hoc rate ap. ipse q dominiu no abdicat
do dic ut q dominiu ff de re iud
in feo ut r. q mm ff de re ius
In gim possessio no mutatur tractu
tpis sicut nec dominiu ff de reg iu
dicta l. affir et l. fu C de pba
et C de pigno ac. l. si creditor
C ad exhibendu l. no ignorat
litt q possessio de facili amouetur
ff de acqu poss l. sique su q dur
et hoc dur aliqui neglir uerii
si plur i duobz casibz pi. qn agit
contra alium qui hz eum abactore
ut l. creditor ff alle. l. qn
possidet tpe iudicii cepti na tunc
magis astringit C ad exhiben
l. no ignorabat ubi dist.
ut ubi pi il. de arc disting op
d. loquntur de possessione niti et
antiqua in qd alii l. no pe tem
i dispute ut d. l. et hoc apte
ubi l. c. alim uetu et l. c. pp
pmis i. c. t. ett q no fi pu

que rectitre periculo pides ut l. at
i debito — In glo si at a si de
ut dixi i sit pxao cu pp qr uerq
potuit i eadem possessioni a tenere —
In glo qr alii fruetur — glo e pta qr
no competit i eadem s q dico ex c. sepe
i c. de q dicitur q. successore scie
bn dicitur ubi ecclesia po s no q.
fit de uniuersali et e. ro dic qr heres
luctz succedit et fungitur uo cu de
facto tn no. i. pcius i successore
dignitatis qr dignitas p eadi et p
tur hec he dicas alii uacat ut
pn. du additos s dignitas nunq
uacat xx di heo qn dicebat q qd
eo. ex illo canone gnale no competit q
aliq si sp. mittebatur actiones
ibi expsse ipe met no. gim i c qre
lam de ele et illud uerius qr
pt retentari gdicto generalis exquisitio
none et q no sptiante uel ser
recipiente et at cu a dante l. uau
forte decimo no quid ars. ex pro
certe ut in q. i. retegendi —
in ubi i s — dat quedi et io no
interpoi. app i momentanea possessione
de iure cyuili qr fit sentia e niter
locutoria et dat quedi canonistae q
si spoliatus apparitur i modu excep
tionis pp appareat i uim dilatorie
de ox caus. cu dilcto q c plin qr
illud procedit cu appar ut exceptio pery
cu appar ut actio. patet de. uide de
psessa poss et de re iudi c. i. per plur.

Capitulo uiolentus
no e solucio ad restitucionem fructuu
no cpellitur pio par dessafa quela fo
p unfio n ibi uero qui et p uos poe
capitula c. et si necte de dn. interdum
et uxore et dispiciat q lib amorem se
tionis se qhuiu appar uel. exclamado
hoc exponit no. pop. restitucionem i
mobilium prius restituet et de rei
ux ar. l. i. Tenere nung q ex
ceptio i aspice admittas q actione ut
solui q. exactionem dat quedi q solu
q. exactionem qr lin pbali pio et fe
retur pna s exceptio i aspice ipt

in precedenti. exceptiones que opponuntur contra
quod dicitur in anno et anno contra. Anglicum
dicitur de hoc de restitutione spoliatorum frequens libro
sed tamen exceptio et exceptione in opere non
spoliatoris pertinent ad alium. in re. r. obst.

Cum contra episcopum quondam abbatis
ecclesiam non quod unius parrochialis et possessio
per predecessorem suum et descripsis contra possessionem
in difficio in ubi nostre questionem exhibuit
procuratorem agere in eandem recuperandum
de et exalia possessione melius diceret
quam possessione iuris per hoc quod ut dixi
ut est cum ad sedem quam suam et per hoc
ipse qui episcopus agebat licet que sicut alicui
diceret et quidem quod alius non agebat
bat. Ideo quod pluries agit et defendit
per ecclesiam sibi subiectam. Item
actus mutu exercitatus non est aliquis
effectus in traductionis. Item quod qui
alium possidet per se suum nunc possidere.
Ideo quod ubi quod per exercitatum actus
exterius queritur possessio huius unius in
corporalis quia licet corporaliter non
queratur possessio nisi per actum corporalem
ut ff. de acquirenda possessione l. iii quod in actu
nostra tamen unum in corporalium questi-
scientie et sic paciente possidente dicitur
diceretur in quam quod in sentencia possessio-
nem et paciente et hoc quod scienos et
pacientes ad pupillamini vel possessi-
one desernisse et de alia tamen fa-
lisse ff. de publici l. si ego quod i. ff.
si sum ben l. si forte quod i. et si quorum
domus paruisset. Item mandatis episcopi
non tamen prudicans abbati ignorante quod
abbas solus est possessor sed parrochiani vel
possidet sed sunt possessi per abbatem sicut
in colono qui possidet alii quos ad pos-
sessionem sibi iam indicaret. Item
Subdit in quando quod si episcopus excommunicat
subditos abbatis ipso sciente et tacente
domini ipse abbas excommunicat liga-
bit vel sunt abbates dixit quidam
quod sicut ut sicut magister attendit in be-
neas quod episcopus bene de lucri quia
quia in renunciatione sue sperat ad

ad abbatem quam spectat legi per tuas
per et quod et c. apud cum aliis quousque
aut quaerit de veritate cum dicto est
possessor in sua possessione ut lite pen-
dente i. de in statu cum veisset. Sed
quod fudit quam ut notat in c. i. in eius
et c. t. quod in glossa quod si episcopus qui in ve-
ritate non excommunicandi non
patiens ipsum quidem in ipso et aliis
episcopi sine sancti sic penam ut sua
quam puniret illos speciales excommunicando vel
ve. ipsorum occupando. Item aliis quod
casus predeceo ut quod licet hic dum
retinendo possessionis non prodest posses-
sore quod non petatur nisi ad c. de
acquirenda possessione l. licet. in diurnum in iuste
agit qui hoc facit non impugnando
sic se defendendo ff. de rapti a uni
l. et ut vim et in in alium et si
non audet hoc facere quod resistitur
de ex or pastor. quod si de ap simplici
et hoc procedit in unibus in corpo-
ralibus quarum possessione sibi prodest
quilibet in impugnari verbo seu
acto nec eo ipso quod vedicans non
admittitur statim prodest ff. de
acquirenda possessione l. clam possidere quod ad
nundinas et c. re dicit quod
in corporalia tenuntur in hereti
a. factus retinentur ff. si pro
l. iii. ff. de precario l. quod gratis
de tu sola c. n. Item quod son
tenere cum sit actus non agens in
corpus per gratiam magis quod
retinetur in corporalium quod non
subiciuntur tactui quod corporalium
que tangi possunt in statu de rebus
in corpore in primo. Ubi autem episcopus
excommunicat parrochianos alienos in
alius episcopus similiter tacta licet in
parrochiani illam suam ipse
retinendi causa possessione

cu sit exercendo n. possiderit
n. libera et domus n. muru
na et si ppts pro aliquas dies
prima fuisset no appta qsi
uisset ut hic n. iuris pro vero
sup. n. spola in seruientes qr no
fuat ut pri subditi si ne volentes obtepe
rare uni. xj. q. iij. cure dereugat et sa
c. i. pt et dici qr licz in illis iuribz
i corporalibz i quibz acquirit possio
modo pdem no tn i sina exequitur opinimer
i digesto na si exactio qrones alias
prohibitas nam hic ordinaria no po
terunt qre a possione iuris excludi
nec illud ius no possit possideri nisi ab
illo q hz a deo vel eq vicario vel a iure
ut xvj. c. ubi qrdem ad simplices qo
etia hic no pnt a possione qre exp
cando qr dic ut nam de sa qpe cu qui
gat vel dic et melius qr qlibz cleriq
hic pt q seb s. de sus q s a ma
ps c. apunt. dic alii q. qr sinul ab
bans no ligabit qr possione damipt
imo si qpa aucte vel possione qre
i dict peria legis s q mrantem
de ui ui et c. placuit xvj q. vj et s
[illegible] [illegible] qr solo verbo illo
pt i petenti alter ne querat possione
vero. ubi tacere et no q dicit [illegible]
secus i corporalibz i quibz no sufficit
sola verba imo e nece repelle vim
i et c. vo qr possio vera i corpora
libz et c. vo qr possio veru i corpora
lia i hiis aio facilius q aio re
petur si possio corporalia i hiis in
puralibz [illegible] qr si [illegible]
cxcar subditos aliq aio qredi qui
possione et subditi no obtepant sine
possione et subditi no obtepat qr ille n.
et epo [illegible] no obtepat qr ille n.
qrat possione [illegible] ipe nuq
possit in facultas ex [illegible] q
dic qr pt qr c. cu qtingit de fo qpe
Alii q. qr si facultas qr credit et eledm
bus [illegible] qr pclicius e capax hr
facultate qre patit, tu [illegible] fas q q
clipi sunt i c. cu qtigat qr clericus nove
[illegible] no poterat qre nove ecclie benficii

vel [illegible] [illegible] qr si facultas
no pstat ad [illegible] si certas et ita sunt hic
expositu ut no de ele quanar [illegible]
Inglorij ubi si quis dic qr ipsi excerti no pos
sidebant ipa iura n. nove [illegible] n. alias
imo et dent possione qre qrdo dici qr prius
uenerit alterare possione et pt hic tollis
qrum de l. si. C. de acq pos. et pt pro sam
opinione glo de qua dixi e c. olim. i. qr
illa lex i possidenti nove alieno n. ob
aliud qrum qr lex possore meticulose si
ipsi no possidebant ut dein e qo et ibi
equiparat glo e qua e. qr miting [illegible] c. cu
dilectis. ubi voceant opinione et qrea hec
opiones qr si sinul [illegible] qre uidete
no excusat metus qr n. si fingatur a qre
uidete tu s pt ipsa no excusat metus
qr no ser. nisi qr morti a excusso sua
i cadit i hic metu [illegible] ubi est i
ipsa se c [illegible] [illegible] [illegible]

[illegible] q [illegible]
succissive seruitur a [illegible] [illegible]
qo por ferri corrigedu in [illegible]
et qf [illegible] ubi [illegible] no ab [illegible]
ro fuit [illegible] de legi [illegible]
[illegible] qr no pocide [illegible] [illegible]
dem recuperande q. decretare qui no
[illegible] ita [illegible] ut [illegible]
ius. aliq hic iuris et [illegible]
a effem si [illegible] ius [illegible] effem
[illegible] i rei dem recuperande no ypere
q. [illegible] succissive [illegible] qr [illegible] iuris
cumulis no [illegible] de iure canonico
s. c. [illegible] c. i. [illegible] quo [illegible] [illegible]
et ap qr a c. [illegible] qua [illegible] [illegible]
[illegible] qr licz spoliatus [illegible] no
[illegible] [illegible] vel [illegible] i mo nisi [illegible]
cur [illegible] ipsa a c. [illegible] [illegible]
[illegible] i [illegible] de [illegible] q q [illegible]
[illegible] a [illegible] [illegible] effem
si [illegible] ad [illegible] no [illegible] [illegible]
[illegible] si [illegible] effem et [illegible] qr [illegible] de
[illegible] [illegible] [illegible] nece est
[illegible] ad [illegible] [illegible] a quo forte [illegible]
[illegible] [illegible] difficultate [illegible] Cap. ij.
de [illegible] i primis in q. i. [illegible] [illegible]
[illegible] ubi [illegible] [illegible] [illegible]

no. mo[illegible] [illegible] [illegible] [illegible]
[illegible] ecclesie [illegible] [illegible] [illegible]

possessori est de qui ibi fuit despectum
in c. [illegible] iii dist. [illegible]. quod non poterat
[illegible] quod sint [illegible] [illegible] de rigare [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] ff. [illegible]
ex lege [illegible] colonis C. de agricolis et
censitis et l. [illegible] C. de [illegible]
[illegible] et ff. de tributaria [illegible] [illegible]
[illegible] [illegible] tertium ne [illegible] [illegible] [illegible]
ei qui in poss. mittitur [illegible] [illegible] duo capi
[illegible] ut ff. ne vis fiat ei l. i. [illegible] hoc [illegible]
[illegible] [illegible] [illegible] attendas quod [illegible] [illegible]
[illegible] possessione [illegible] [illegible] remedia
[illegible] tertium recuperande [illegible] et [illegible]
[illegible] [illegible] / [illegible] [illegible] [illegible]
[illegible] [illegible] ut [illegible] familia [illegible]
vel [illegible] quo non est vera possessio
[illegible] ut [illegible] [illegible] [illegible] ff. de [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
successore [illegible] [illegible] [illegible] [illegible] quod succes-
sore [illegible] [illegible] [illegible] ut non
[illegible] [illegible] ad [illegible] ubi fuit [illegible] [illegible]
et de hoc in isto [illegible] et ff. de vi
et vi ar. [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] successore [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] ignorans [illegible] [illegible]
in q. i. [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] vacante et [illegible] [illegible]
[illegible] competit [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] recuperande [illegible] est [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] est [illegible] [illegible] successore
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ff. competit est [illegible] [illegible] [illegible]
[illegible] [illegible] si aliquis esset [illegible] [illegible] [illegible]
ff. competit [illegible] [illegible] possessori [illegible] [illegible]
fuit [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] competit [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
in q. i. [illegible] [illegible] [illegible] ecclesie [illegible]
[illegible] [illegible] violentia vel dolo debet [illegible]
[illegible] ecclesie [illegible] [illegible] [illegible] [illegible]
et fuit [illegible] in q. [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] ut c.

[illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] et hac [illegible] [illegible] [illegible]
obscura et [illegible] [illegible] [illegible] competit [illegible]
[illegible] [illegible] [illegible] detinentem dominium [illegible]
non [illegible] et [illegible] ecclesie et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] tertium
recuperande et [illegible] [illegible] [illegible] re
integranda [illegible] [illegible] [illegible] tertium non
datur nisi [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ut c. [illegible] [illegible] [illegible] / [illegible]
[illegible] c. datur [illegible] [illegible] successore et
[illegible] [illegible] c. [illegible] [illegible] [illegible]
[illegible] est si non [illegible] [illegible] in
[illegible] ut [illegible] omni possessione ab aliquo
[illegible] ignorabam violentum [illegible] [illegible]
[illegible] [illegible] possessione [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] non est
[illegible] [illegible] competit [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] in hac [illegible] [illegible]
[illegible] [illegible] ecclesie [illegible] et [illegible]
[illegible] l. [illegible] colat C. de agri et cen-
sitis [illegible] [illegible] est [illegible] [illegible] [illegible] [illegible]
[illegible] restituitur [illegible] est si non possit
[illegible] [illegible] mala fide [illegible] [illegible]
[illegible] [illegible] delinquit [illegible] [illegible] et [illegible]
[illegible] [illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] isto [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] est [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] et dolo occupare et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
possidet [illegible] et [illegible] et [illegible]
[illegible] et [illegible] [illegible] [illegible] [illegible]
et non [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et non
[illegible] hoc fuit [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] et hoc [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

de i p. rō q̄lenr̄ s° dicit̄ sn̄er
q ibi nāt glo alibi dicit re Bacare
cū Barar possio ciuilis et nālis
fuit opus ſo qui reqriit [illegible] et pla
ut ibi et. l. a. q ſit dicit ff c ti
sed cuius p̄ij. illum et ſi [illegible] q̄b.
[illegible] ciuilis aliis nō occupare dicit
aliq q [illegible] oblimone nō e tn̄ [illegible] q
oblimio q illi nō e medus [illegible]
possioes nō q oblimio e duat animi
possidēdi et illa ciuilis possio [illegible]
dispersa et ut l. iii q i admittēda ff de adq
poss. Notāt cū p̄c q ſi peregrinari [illegible]
[illegible] modicū possidens nālis et
ciuilis [illegible] ff [illegible] ſupper
ſi posse [illegible] vel [illegible] nō committer
ut l. clam possidere q qui admittunas
ut l. i q iii nō i l. i ff de adq poss
[illegible] certer q. iii nō [illegible] eius
tenens q° q requir. [illegible]
possionis et dicit q [illegible] q [illegible]
nō cōpetit q re [illegible] here q [illegible]
nō q defuncto qui mortuus e [illegible]
nō qui [illegible] nō efficiatur dīns
ff de re [illegible] l. a. q. i [illegible] dt q nō
ff de re dimiss. l. a. q. i. [illegible] occupante re
[illegible] nō [illegible] in occupante re
[illegible] hereditatem nā legatis heredi
[illegible] nō ſit [illegible] heredis [illegible]
i bonis defuncti [illegible] [illegible]
hereditas ff de adq re dicit l. ioo
q pi et l. [illegible] ut dt i re [illegible]
q eadē re et [illegible] [illegible] q°
de herede q adiens adinenit ſi nō
[illegible] possione [illegible] [illegible]
et [illegible] dolus q igrediens [illegible]
[illegible] ſit ad re nō [illegible]
ſaie ad aliū [illegible] dicit aliquē [illegible]
[illegible] ad [illegible] q e [illegible] q
[illegible] nō [illegible] [illegible] [illegible]
possionē vacantē rei mee [illegible] de
[illegible] possidē ſit [illegible] [illegible]
[illegible] q ſit ff e t. l. a. q [illegible] et q
l. [illegible] aliq q [illegible] q [illegible]
[illegible] l. [illegible] i [illegible] [illegible]
[illegible] ad [illegible] nō [illegible]

[illegible] ſic de [illegible] q [illegible] q obligatus e
ex dolo et [illegible] [illegible] [illegible]
dicens i [illegible] an liberabitur glo
dt q ſit q [illegible] i [illegible] ut l. i q. q [illegible]
ff. e ti ſi nō ſit q [illegible] q i [illegible]
[illegible] q [illegible] violentia [illegible]
[illegible] i [illegible]
possionē vacantē nō [illegible] i [illegible] [illegible]
[illegible] q nō fuit violentia [illegible]
[illegible] etiam q nō fuit possio clam
[illegible] occupata [illegible] [illegible]
[illegible] ex l. q [illegible] [illegible]
[illegible] [illegible] dolus i [illegible]
nō glo dt q ſit [illegible] q dolose [illegible]
[illegible] ſit ingressus [illegible]
[illegible] q i [illegible] vacantē possione
[illegible] [illegible] [illegible]
dt q nō q illa [illegible] occupante re
[illegible] [illegible] occupato
[illegible] rei ab alio [illegible] et erit
[illegible] [illegible] ad re [illegible]
i [illegible] [illegible] possio ſit occupa
ta ſit [illegible] glo dt q nō ut l. [illegible]
[illegible] [illegible] [illegible]
i [illegible] [illegible] dolose [illegible]
[illegible] possionē rei mee et [illegible]
q [illegible] dolo [illegible] q [illegible] illa
[illegible] et [illegible] vacantē [illegible]
[illegible] occupantis ff de adq poss [illegible]
[illegible] [illegible] [illegible] me domū [illegible]
vacantē i [illegible] [illegible] [illegible]
dicit aliq q ſit [illegible] [illegible] [illegible]
[illegible] q dolo [illegible] ff [illegible] q illa [illegible]
i [illegible] [illegible] q illi violentia
i [illegible]
[illegible] dolus [illegible] et nō violentia
[illegible] q ſ [illegible] me et de [illegible] possessionē [illegible] et
[illegible] vacantē i [illegible]
i [illegible] [illegible] i [illegible] [illegible] [illegible]
[illegible] dolo [illegible] [illegible] [illegible]
dt q [illegible] ff de [illegible] l. [illegible]
de [illegible] e [illegible] aliq q [illegible] l. [illegible]
ff e t. [illegible] nō ob q [illegible] i [illegible]
[illegible] [illegible] remedium legis
l. nō [illegible] [illegible] et [illegible] locū
[illegible] [illegible] re [illegible] [illegible] ab illo q
[illegible] ut [illegible] [illegible] [illegible] [illegible].

et sic iuste est de negare restituere usque
addiffi. hoc eum ne berz lo. i quomodo
autem finitum tempus l. de quo c. ono c. hec est
remedium l. meminerit C. unde vi. C
hoc iudex adpositio fictus greco non arte
lege c. dat possessionem numquam potest ille docere
eum apparet quod sic qui iuste possideret
qui auctore petere ff de acq. pos. l. iuste
reus eum sic restitui ff de dep. i set l. si
finita q. si forte ingium quia sed iudicis
ita demum valet si lege fiat sunt ff. de
re. iud. v. fem. ff de decre. ab ordi. faci.
l. ii ff de reb. corp. l. magis q. siem
ff de tuspic l. cum fuit s. opus plari ame i ead
l. meminerit C. unde vi. non ob. lex iuste quod
i e. ubi lege apparet auctoritate f. cum principes
vel alter iudex dat legitimum i gredi
di possessionem sine iuris ordine f. aliquos
non e. dubium de principe sed aut iudicis
q. sic sine cause cognitione dat ne eum. C
dub. an si cum cause cognitione det eadem le
gatum an possit i gredi locum q. sic
pe distinguit et principes dicunt legitimam aliam
pro se i grediendi et eum in gressus ff de
re iud. l. quidam qui libebant fuit aliud
iudex tunc et fecit lege cause cognitione et
sine cause cognitione si sic non eum et quod lex
meminerit C. unde vi quia non fecit ut iudex
an. aut lege possit tunc e. dicendum an.
posse sibi met querere licentia quod sic ut
ibi glo. arg. quod non ita de ar. defendit
opinione licentia et probat qui procuratori
debet pro iudice dato nuntio qui mittat ff.
ut i possessione legatorum l. ex an. C
iudex sit dare licentiam habendi i possessione
ipsi mittendo ut sic nuntius vel vice
mium i re sua gerat vice ff solu. matri
mium l. dotis ... iudex quia mittantur eadem
l. dotis ... ff de nam. quod mittit l. si quis ... sisset
cum auctoritate sic C de iud. l. apertissimi
ut cas. ff de acq. pos. l. pl. c. divus sa
et ibi sumitur arg. pro l. non e. pertinens alii
et hoc contra app. sup. q. lo.
i i pertinente a principe q. i gredi non sit
iudex ordine iuris. C sine e. est iusta
de legandi dicit alia quia nos sit detinere
pro l. doli ff de doli excep. q. non e. quod
non sit referre quam domini C. lociti
l. si quis conductor addidit quod iusta e. si
dominus fecit expensas vel si in re locata
non e. lapsum tempus locationis ff locati l. qui
ff de pignoraticia acti l. si convenerit C
unde de i commodato de q. commodatum
quare ad certum tempus ff commo. l. i commo
dato q. sicut sed precarium non ff de pre
cariis l. i. sed an finitum tempus e.
iusta eadem de negandi C. unde i eadem
lo. sic peti res et extradita q. e. pre
si denegetur dicitur quod non quia extradita non e.
debita nisi subsequente si denegetur rem
ad primum q. ut l. non commodato ff de
iud. glo. et lex quod i tentata gravare
quod l. non abire proprie C. locati l.
conductores q. e. eadem cum hoc non
ob. lex non commodatam quia hic quaeso puni
tur i iudicibus et cum iudice vel
de f. p. q. quae sunt opera q. se non sunt
per ordinem et i illis procedit lex non
commodatum quae se sunt per ordinem et i illis
sic parvi lo. de pacti et furti C. de
gnis l. i. C. de iud. l. i. differt
quod lex aquilariae si quis i tantum quia
illa eum locum i aliis sibi dicentibus
ius h. i sententiis earum ab agente re
pone et quaeso i debita ut l. i debi
ta. ff de con. i debi. ... et i tantum
nec vis fiat ei qui i possessione mit. ut
ff ne vis fiat ei pro totum ... i plus
venire gratia officii quod competet deficie
tibus his si aliquos eum hoc non vendicat
sibi lo. quia tunc eum locum officium iudicis
cum deficiunt alie actiones sed hic sunt ac
tiones possessorie quibus deficientibus recur
ritur ad petitorium ... est ponit
l. si quis i tantum ut cum ad re apertam
pro aliud de tantum i gredi de quo
dictum sit supra e. ii. C sed ne vis q.
dicitur tenet i male detinere sunt

ut malic admin[ist]rando pupillus b[e]n[e]
q[uod] no[n] distinguendo hic a q[uesti]o[n]e ingruente
glo. xii q. ii illi. xlviii di. sicut hii
dicunt aliqui quod quantum ad dispensatorem dic[itur]
parat sint non dare pupillus constitu[tu]s
in extrema neces[sita]te et ubi sit habundans
et in bonis alienum ut in canone sicut
hii xlviii di. ubi not[at] arch[idiaconus] s[ecundum] Thomam
contra elemosina de pupillo cadit
pubes proprio et sic dare elemosinam
constituto in extrema neces[sita]te hoc dicit di. pass[im]
ii. quantum ad penam fori contempti e[st]
maius peccatum invadere alienum [illegible]
ergo credere maius peccatum non dare
elemosinam constituto in extrema neces[sita]te quod
in bonis alienum quia non recipitur h[illegible]
hoc dicit di. [illegible] xvi q. i. dicere [illegible]
contra [illegible] decimas [illegible] fructus a
die decimas dicit quod non [illegible] [illegible]
a die [illegible] ut l. i. q. [illegible] ff
et in [illegible] possessor a die [illegible]
[illegible] [illegible] possessor [illegible] [illegible]
[illegible] in [illegible] dicit quod non a [illegible]
[illegible] [illegible] [illegible] quaeritur et ide[m]
hoc hic et arch[idiaconus] in canone [illegible]
da. iii q. i. in mo[do] not[at] [illegible] xii q. ii [illegible]
quod in [illegible] non [illegible] [illegible] de
quo dicit ut [illegible] ut hic non [illegible] [illegible]
quod [illegible] [illegible] recipiens [illegible] in
[illegible] auditur dicens se ignorare
dicit quod [illegible] sciens [illegible] sit [illegible] ad
si non [illegible] quod [illegible] in [illegible]
[illegible] [illegible] si ab alio tradatur
[illegible] l. si quis in canone [illegible]
quod [illegible] [illegible] dicere [illegible] [illegible] in re
sua [illegible] ut declaratur [illegible] [illegible]
quae [illegible] in [illegible] [illegible] locum dicit quod
[illegible] [illegible] masculinum [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] locum in furioso dicit quod non

ut l. divus ff. de off. [illegible] de [illegible]
ab in testa[men]to c. si quis [illegible] sicut [illegible] furio
sis in [illegible] et furore deposito [illegible]
[illegible] tenetur [illegible] quod sit ut hic [illegible] equi
[illegible] [illegible] c. de in [illegible] [illegible] l. q. [illegible]
[illegible] ff. de [illegible] q[ui] non [illegible] in [illegible] l. q[ui] [illegible]
in [illegible] dicit quod non tenetur quia [illegible] [illegible]
[illegible] dolum in [illegible] si forte tenetur
[illegible] l. si [illegible] et [illegible] [illegible] de in fonte
in [illegible] et [illegible] [illegible] [illegible] quod
in [illegible] non possit [illegible] dolum [illegible]
ff. ad l. [illegible] de [illegible] l. [illegible] in [illegible]
[illegible] de prodigo dicit quod prodigus [illegible]
in [illegible] furioso si [illegible] non [illegible]
in [illegible] in lege [illegible] de pupillo
adulto glo. di. quod sit aliqui distinguunt
[illegible] dolose [illegible] [illegible] [illegible] [illegible]
tur [illegible] [illegible] adultus [illegible] [illegible] annos et
tunc excusatur [illegible] [illegible] [illegible] ut [illegible]
si [illegible] c. de [illegible] et [illegible] [illegible] [illegible]
in in [illegible] [illegible] [illegible] dicatur quod non [illegible]
[illegible] ignorare [illegible] [illegible] magis
[illegible] quod [illegible] [illegible] et [illegible] ex
[illegible] ut in [illegible] [illegible] [illegible] de [illegible]
alii dicunt quod lex illa punit dolum cum
[illegible] quod [illegible] dolum ff. de [illegible] bono
[illegible] l. i. [illegible] [illegible] [illegible] quod
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible] [illegible] [illegible]
quos in canone [illegible] credebant [illegible] [illegible]
[illegible] in [illegible] [illegible] [illegible] ad [illegible]
[illegible] [illegible] arrogancia [illegible] [illegible] [illegible]
lex si constituto [illegible] [illegible] quod dolo
[illegible] ad [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] leges c. de l. l. leges [illegible]
[illegible] [illegible] aliquo [illegible] doli [illegible]
quod [illegible] [illegible] [illegible] si [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] filium constitutum [illegible]
distinguunt [illegible] dolose [illegible] [illegible]
[illegible] [illegible] [illegible] non [illegible] si [illegible]
[illegible] [illegible] [illegible]

et nec peculii apud alium perdit nec
pena in eo occupatur ut quod non est filius
non potest alienare peculium C. de bonis
que liberis l. si quis filius [illegible] ipse legis
est quod alienatio ibi ex delicto filii non
publicatur castrense peculium C. de bo
dampn. l. nec Imaginem fecit quod dicit est C.
de bonis que liberis l. cum oportet quod fieret
per dominum et sic est pena l. et hoc
plenius ff. de [illegible] Qualiter usufructus prius
ad ipsa est alienatio [illegible] in mea lege
que eum privat ad non obstante quum
nec ab p. quod ubi filius cessetur mor
tuus ff. de pen. et tunc castrense as
sumit naturam profecticii ut ibi Quid
de collegio occupato dum i cedat hic
dicendum quod collegium possit committi de
lu. glo. et quod sic ff. quod cuiusque universitatis l. si
quis et hoc si pulsata campana a toto
eo collegio committit Et quod aliqui dicunt quod
delictum negligentie sit [illegible] C. de [illegible]
C. de parro [illegible] l. unde ff. delictum
capacitas non sit in universitate magis
presumptum quod quite sit solum pene quod
[illegible] cum absoluerunt capud cum uni
versitas non habet animam, de sen. ex. in c.
quod i [illegible] dicit quod puniretur quod
non sit in civitas moritur ff. de usu
fructu l. an usufructus ita de ar. et
quod punitur ipse pecuniaria et in quod ea sit
in terminate [illegible] C. de rei militia
libro xii alia autem quod fecerunt puniri capitis
ut ipsi et sic [illegible] alii autem pecuniam
puniuntur Et cum vendicat sibi eam
i [illegible] realibus dicit aliquis quod non est l.
sed si viam ff. de [illegible] glo. tamen
quod [illegible] realis qui possident
ff. de [illegible] l. quotiens Et in practica
[illegible] in qua possessione libertatis
et [illegible] [illegible] et in [illegible]
[illegible] pena sic loquimur
[illegible] ipse legis et i

et i tertium ubi ibi ff. et l. viii. ibi
in tertium Qui autem [illegible] de furtis
quod [illegible] unus [illegible] ut in [illegible]
vali dicitur Quid si furi ex
pertinenti rem meam auferam an
incidam in penam l. glo. distinguit quod
venit ad locum defendendi cum furto aut non
[illegible] non [illegible] ff. de furtis [illegible]
ut C. qui liceat [illegible] l. unde ibi lege
[illegible] sive [illegible] in aliam fur
[illegible] non [illegible] in l. illam quod non adhibuit
ut dicitur [illegible] si autem [illegible] quod furtum tunc
dicit [illegible] recuperando autem [illegible]
Et ergo [illegible] a [illegible]
sibi locum ipse lege glo. dicit quod sit per [illegible]

Casus Qui mandatum
restitutionis fieri subrecto
[illegible] non [illegible] non solum [illegible]
non pareri [illegible] non [illegible] quod [illegible]
[illegible] processus [illegible]
[illegible] vel [illegible] delicto [illegible]
porro [illegible] defendit [illegible] dici [illegible]
[illegible] ipsa non modum defen
de [illegible] et [illegible] plane
[illegible] delegatos [illegible] [illegible]
[illegible] poterat [illegible] subdelegatos [illegible]
[illegible] appellationem [illegible]
[illegible] dicebat [illegible] primi [illegible]
restitutionem [illegible] plene et libere
[illegible] non
[illegible] [illegible] non
[illegible] cum [illegible]
[illegible] non [illegible] pro [illegible]
Et ideo forum mandati [illegible]
vide quod non [illegible] defecto [illegible]
[illegible] modum

no ... ...

Item formam mandati absoluendum ... quod non possit durare. Suppono quod ex(communicacio)nis lata non fuerat forma ... et ... absolucio ... pars ... legem ... et absolucio de ... ex(communicacio)nis lata non fuerat forma legis ... lata non fuerat forma ... non ... si non fuerit formam agit ut ... si quis detur ... et ... forma ... quesdam ... in forma decretum ... fuit data ... cum forma et ... non fuit fuerit ... Suppono quod ... mandauit ... restitui et demum absolui et si ... emerserit mandauit ... recipi ... quod non poterat facere restitucionem ... quod ... non spoliauerat sunt ... fuerant et ... dimiserunt ... fructus et pensiones et de ... recepit cauciones ... et dicit ... in fauore ... Alii ... modum ... quod ... spoliauit ... castris et demum fuerunt ... restitui ... quod ... restitui non poterat quod ... non ... spoliarunt ... pensionibus et ... quod mandabantur restitui fructus et pensiones ut erant ... guerre ... non fiebat ... demum ... quod si ... debebant ... restitui ... quod fructus poterat ... et liberos ... possideret ... non ... sed ... hec

peccat ... quod tyrannus ... ciuitatibus ... spoliatus ... aliud ... ficari ... dicit quod ... non restituat ad ... recuperare ... mandauit ... restitui ... poterat ... effectu ... non ... forte ... ca...

Item de spoliatis et ... potencia aduersariorum ... erat de ... dolo uel ... aduersariorum uel ... quod ... spoliatum restitui non ... uel ... spoliatum ... de ... in ... et ... et ... restitui ... Adicer

... mandatum ... non admittitur ... de ... decreto ... restitui ... decreta ... admittitur ... recuperat possessionem ... et ... restitui ... uel ... uel ... ad ... defendere ... ob ... et si ... uel ... non ... uel ... non ... restitui ... possessionem ... et ... offert ... recuperabit possessionem ... admittitur ... pro ...

[illegible] [illegible] [illegible]

differentia [illegible] [illegible] legis

legitimi [illegible] progressi [illegible] [illegible] fiunt

licet non [illegible] [illegible] [illegible] de of ar [illegible]

de ap. ad hoc. Item [illegible] ar [illegible] si quis

decani hoc [illegible] locum in interioribus et [illegible]

[illegible] [illegible] [illegible] capacibus et aliis non

ut in [illegible] [illegible] et [illegible] [illegible]

ne [illegible] locum in plenis [illegible] q non [illegible] et

[illegible] [illegible] [illegible] [illegible] delinquat [illegible] delictum

[illegible] [illegible] si communicato [illegible] cum capitulo [illegible]

[illegible] [illegible] [illegible] [illegible] in [illegible] ut non

[illegible] de [illegible] cum [illegible] [illegible] [illegible] si quis in [illegible]

[illegible] [illegible] [illegible] glo. plena [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible]

Item [illegible] [illegible] ad [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] non [illegible] [illegible] de primis [illegible]

non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] et [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible]

non [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] affecti ad hoc [illegible]

fieri [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] de [illegible] [illegible] [illegible] de [illegible]

[illegible] [illegible] [illegible] ut [illegible]

[illegible] hoc [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible]

si [illegible] de [illegible] fructuum [illegible]

[illegible] et [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible]

non [illegible] [illegible] non [illegible] [illegible] [illegible] ut not.

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] et [illegible] [illegible] [illegible] de eo [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] de [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] non [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible]

non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] et [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] et [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

fuit Casus rei [illegible] quarum et actor
[illegible] [illegible] quod cum ipse [illegible] non potest
[illegible] iudices erit ne [illegible] [illegible]
quod [illegible] non debuit petere quare [illegible]
fuit decle [illegible] quod in libello
debuit [illegible] [illegible] iudicis obtinere [illegible]
quod [illegible] certum et ponit [illegible] de [illegible] [illegible]
[illegible] et hoc [illegible] tamen si non fuerit
non esse [illegible] [illegible] quod non [illegible] de iudi.
c. i. et hoc not. [illegible] s. [illegible] i. t. de
advocatis [illegible] [illegible] C Angle in ibi
archiepiscopus aliqui [illegible] [illegible] filio
[illegible] quod erant [illegible] Alii
[illegible] quod [illegible] [illegible] cum [illegible]
possidebant vel [illegible] quia si fuisset
[illegible] [illegible] [illegible] non [illegible]
[illegible] possessores [illegible] anni [illegible]
[illegible] de c. [illegible] de [illegible] [illegible]
[illegible] [illegible] ibi [illegible] de pena
[illegible] [illegible] [illegible] de punitiva
[illegible] [illegible] [illegible] c. [illegible]
C actor c. quadorio
[illegible] [illegible] [illegible] ferri [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
ubi [illegible] [illegible] magnum [illegible]
quod [illegible] [illegible] non fore [illegible]
de [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible] [illegible] eam
[illegible] [illegible] vel et [illegible] eam [illegible]
qui [illegible] [illegible] legi aut [illegible] non tres
modos [illegible] alie non. [illegible] c. [illegible]
[illegible] glo domum not. hoc quod [illegible] [illegible]
quis fuit copiam [illegible] vel defendere
non fuit [illegible] ad domum quia ad illam
[illegible] [illegible] [illegible] de quo [illegible]
[illegible] [illegible] de eo qui [illegible] c. [illegible]
quod legitima [illegible] [illegible] [illegible] legitimam
[illegible] de [illegible] [illegible] [illegible] quod [illegible]
[illegible] quod [illegible] ad domum [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible] ad [illegible]
[illegible] non [illegible] C [illegible] quod [illegible]
legitima [illegible] [illegible] verbales quod

quis [illegible] / verbales quod non [illegible]
[illegible] s. verbales [illegible] ut [illegible] eodem
quod olim ponebatur in albo [illegible]
sit [illegible] [illegible] et [illegible] [illegible]
de [illegible] iudicis ff. de exhibendis
[illegible] [illegible] et [illegible] [illegible]
C [illegible] quod sunt iudices qui possit
[illegible] [illegible] quod [illegible] ordinarii
[illegible] delegati [illegible] aliquos [illegible] alios
[illegible] delegati principis [illegible] non [illegible]
[illegible] quia non [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ff. de [illegible]
[illegible] [illegible] Alii dicunt [illegible] [illegible]
et [illegible] [illegible] eodem non [illegible] ordinarii
vel olim delegati qui habebant [illegible]
[illegible] [illegible] [illegible] [illegible] et alba de
[illegible] [illegible] non [illegible] vel [illegible] [illegible]
qui [illegible] de iudi. c. i. libri Et
[illegible] [illegible] [illegible] [illegible] [illegible] vel
[illegible] [illegible] [illegible] c. de [illegible]
[illegible] quod [illegible] et c. [illegible] et [illegible]
[illegible] [illegible] ff. de iudi. [illegible] [illegible]
[illegible] [illegible] rei [illegible] ut [illegible]
[illegible] [illegible] [illegible] actor [illegible]
[illegible] c. [illegible] [illegible] actor [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] c. i. et [illegible] [illegible]
c. [illegible] de hoc [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] quod actore [illegible] Alii
[illegible] et [illegible] [illegible] [illegible]
[illegible] quia [illegible] [illegible] [illegible] [illegible]
[illegible] C [illegible] ne [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] eodem
et [illegible] [illegible] [illegible] non [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible] [illegible]
eodem et [illegible] a [illegible] [illegible] [illegible]
non [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] de [illegible] vel [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] offeratur C [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] petere quod [illegible] [illegible] [illegible] [illegible]

quod ipsum legatarie reputetur quod quidam
dicunt alii quod non secundum primo vero quod cum
forte confitetur veritatem et dominus a
beneficio liberavit dicit ut notum fuit
de insu. casibus litteras ¶ Tamquam adire
expediens testes vel attestationes publicas
sufficit una extra de spon. c. consulta
nec quod si sequens exceptionem cognitionem quando
non reperitur quod debeat contineri
per exceptionem hoc in presenti et c. contrarii. quod
una sufficit et hoc unum per exceptionem etiam si
non exprimitur de testibus in natura dominum
ipsius non procedens quo ad effectum ideo
de sent. ex. sacro § c. c. fi. de except.
pastor. = ¶ Angelo iii ubi probatur hoc in
verbis sicut in c. illo nec quod contra possit
intervenire per alia verum et tamen ¶ et ibi
quidam dixerunt ipsa fuit apud tamen probabat
quod ipse mandat eam terminandam quod
licet quod totaliter fuit dominus subrogatorum huius
per quos sed de abbate dicebant hoc
contineri in antiquis quod tamen hoc non apparet
et hinc apparet quod si fuisset
licet quod totaliter non fuisset licet contestatum sed de
re iudicata mater hoc tamen non confert de
mediis quod contra supplicantem fuit restituta
de off. del. in privata. Ab. dicit quod magister
primus dicebat quod hoc fuit speciale quod
agebatur de viribus matrimonii quo
tamen procedit licet non totaliter. ut licet non
totaliter quando quod porro hoc impugnatur
quod ubi licet cum tractatur fornicatio nisi
diceretur quod illa fuit causa in possessione
¶ Ibi exceptione non ostendit quod addit alia
vero quod appellatio in parte actoris contra agere
et non agere sed in parte rei quod iudicium
reddere in vita ¶ Et debet obli-
in ter. sequelam tamen quod cum glosa
quod actore serviatur sicut licet non totaliter
quod ... rei nec plus licet
quod ... quando si liquet dicitur fit

difficultas sed si non liquet actor in dubio
in veram possessionem ut fit narratio in primo
vel videlicet instructo ubi mandantur
¶ Expone per intentionem causarum de qua
premisit. sive sic petitorie vide dicit
lau. per in dictum responsum ut licet quod
alii dicebant quod per responsum exceptionis
sciebat quod respondit. sed de lit. con. c. c. in vi.
Alii intelligunt quod negaverunt narrata
ut narrabantur vel petita ut petebantur
fieri non debere et quod sic alle. in
modum ut et hoc verius quotiens
C. de off. del. cum olim et ut licet
non totaliter attendens hoc dicit ut per eum
qui libet difficultas aliquando potius
apparere nisi apparet vel fuisset sicut in mali
fide ut in de re c. adiudicatus si
non liquet decreta vel signare per dictum
textum in unum ¶ Tertio quod appareret quando
in litigationis causa matrimonii revo-
catur item quod protextu dictis adnota-
tionis in dubio ut licet non gest. c. i. item
quod alii ... habentur fit contra item
quod licet gesta obstinaciam rei fert difficul-
tatem ... item quod missus ex primo decreto
pro licet quod totaliter efficitur verus possessor
¶ Cap. quod verba quod sufficientes causas
recipere debuerit ut licet non gest. quando
quod in aliis ... illud in passo commissione
quod volt possessionem recuperare sed hic non
fuerat passus ... et ... ubi possit
illa persona illa sufficit C. de epi.
et cle. l. quando ... et de hiis c. et
de alle. ... in glo. dicit quod scolaris ...
quod iudex recte tractatur matrimonii
causa de secundo nisi coram iudice cleri-
co per ipsum hoc non probatur quod ibi loquitur
in contractu et scolaris hoc ipsius ...
eligendi C. ... filius per patre ... hic
... illa lex ... in dubio ... quod petit
ius domini retinendi quod in dubio ...

nu' s' qstar' secus de sy qpe c ulc
si s' scolari querat clo clarz p
tam auttentz ha. — Contrq suffit
cives uniltaria hac eam lex q no
p no. ut lice no q. qm q i alius
fit dici q lo² ibi i missione passe
ubi e maior qntitea fit tn dici
hac arbitrio iudicis relinquendi ma
no p 10 mo. et arch. c t. c. i. lib
— Contrq scolaris tractu cora
iudic secti declinas tm ppare
eaurez depuddede cora suo iudice
arch q ft i dco c. i. alle. a l. ij
ff de iudi et fcit ut no i. c. ff de
fo qpe s m. c. i. c. ptea de. dilaci.
i religat l. illam illa q q mo
declinadi foru et tn e prudatus
— Contra q qtudo p. presstu fcm
q. cu fit recusare iudice de q no
nt si fuiss pns et taciuss no
poss recusare. q. r. mut cu no
debeat ee melioris qdicois ppde
p. cu qui i q et ide no de dila.
pcrevit i fi p. m. Contra git et
no q de pepratuis exceptionib p
qtusione tn do posse illas ppo
no s lu. q ff posse appone recusa
tarium aut lice q. cu fit dila
toria aut alia q si ignora exceptio
recuperatoria sibi qpete pote secus
qpete lic paryslt de stando iuri
multi loc appone parte secus s' secabi
p² f l. s. l. de p. hac not tam
i f att. l. ff gl hec determina
no placuit sa q tenuit q i disput
te fit. recusare l pp ad lice q. tam
p. ob q tenet de stando iuri q no
plus premisst q. loq pmittat s
recusare satt iuri si de iure re
cus sit pmittendo de iudicato sol
uedo de iudic posti q mitte lei.

secus de iure p. dili hec aliter s' ad
alud no pcessit ~~fit~~ nisi ad cautiones pp
tanda secus s' ad alias indirac no dicti
ma ad impedire. fit. adod tendendum ut no
de re iudi i tor et pcessiss sciens qpete
exceptiones secus s' ignorasse vel pl. certa
fuiss de ob. vel i simile — Inglo
fl. in ubi l. lee ho. tn i ea dicitur fit
pcedi lib. sunt no parrecto ut ele dispe
dicitur de iudi arbit ele sepe debet sic
— Inglo ele ubi nullomo hec pcedit
dut nisi ca eff. summaria q i illa est
hac tam ad dispositu pcedatur ut i ele
sepe p² e fine eptis unum fiecus
q m fiedatd i contre de
laris p separanda debeat et acceptis i
duciis desint i p. do petitur i exceptis
q delegatis ppui no d. cu fi ma
pmittit eas qualeo gstitutis p. qstitu
et ad eas fine die q sitas media i
poterunt fine liti p prim de re iudi cu
aliquas pvenit. Jet p lappu que
ut l de iudicpanda. ele no bu d.
q i p. ele e quo uniq aliqss qnoveruntur
p pte a. mune f hoc benefic et officio
ut dicebatur i sancti statuti q ma
nom relig f reus q si exceptiones
nolit no denot qtepta et fit debet
expe i. no velit s' cum q ulte denot
qtepta bu ista e vera dermiens no
vol lege s' ista e fla dermiens ~~vol~~ ~~mal~~ malt
vol lege q voluitas fit aliq no velit
lege q voluitas fit aliq no velit
tn respuatur hec e esse refutare q
si ponatur aliq volutas fit pppendere
actu volutas dor. i tollit iudice
et tn d. no velle q pcedit no re
fuerit s' qm qcepit et respuit tn vult
et dicit quidt q voluitas no q lite
tn arbitriu d i puppedendo de quo
vide plene i tractatu pacis vbi trac
tatur plene in vsli dud Ctium

lege q voluitas fit aliq no velit

tapu

v. si in termino de testi. causa q(uo)d alteri
v. actori exceptio [illegible] exceptionis a
iure [illegible] fit [illegible] notas in spe(cie) de
exceptio q(ue) instat et q(ue) ut aut [illegible]
supple et sufficiente [illegible] si sit [illegible]
[illegible] i(n) totum vel p(ar)te ad moderare
[illegible] arbitrium discreti iudicis [illegible]
[illegible] vocatas [illegible] dicit
exceptio no(n) [illegible] [illegible]
[illegible] in [illegible] civili [illegible] i(n) glo(sa)
[illegible] q(uod) [illegible] repetere [illegible]
[illegible] et [illegible] ut [illegible]
[illegible] in glo(sa) [illegible]
[illegible] i(n) glo(sa) [illegible]
[illegible] no(n) [illegible]
quo fit exceptio [illegible] [illegible]
no(n) [illegible] tractatu [illegible]
ad iudice [illegible] exceptio [illegible]
[illegible] receptis testibus [illegible]
[illegible] solo verbo [illegible]
exceptione [illegible] i(n) exceptione [illegible]
[illegible] et [illegible] exceptio
[illegible] aut et
[illegible] de [illegible]
[illegible] et [illegible] exceptione [illegible]
[illegible] [illegible] fuit
[illegible] exceptione
[illegible] exceptione et i(n) [illegible]
et aliam [illegible] et [illegible] et
tunc [illegible] ad exceptio [illegible]
i(n) [illegible] fuit et [illegible]
[illegible] exceptio [illegible] fine [illegible]
[illegible] aliqua [illegible]
vel [illegible] ut [illegible] et [illegible]
de [illegible] et [illegible] de testi [illegible]
[illegible] no(n) [illegible]
[illegible] absolute [illegible] fit [illegible]
[illegible] de iudici [illegible]
[illegible] fine [illegible] ut [illegible]
[illegible] exceptio aut [illegible]
[illegible] no(n) [illegible] iuste vel
i(n) iuste [illegible]

exceptionem de [illegible] i(n) [illegible]
[illegible] i(n) [illegible]
[illegible] publicatam i(n) [illegible] actoris
[illegible] testes [illegible] no(n) debet testes
admitti [illegible] articulos vel directe
[illegible] ut [illegible] de testi [illegible] et
[illegible] de testi [illegible] exceptio
no(n) [illegible] vel directe [illegible] i(n) [illegible]
ut [illegible] de testi vel de [illegible]
exceptio [illegible] ut [illegible] glo(sa)
ff de [illegible] publicatio [illegible]
admittitur [illegible] vel [illegible]
[illegible] exceptionem [illegible] de [illegible]
[illegible] si [illegible] ut [illegible]
i(n) [illegible] publicata i(n)
[illegible] actoris et [illegible] de [illegible]
[illegible] i(n) [illegible]
[illegible] no(n) [illegible]
[illegible] dolose ad [illegible]
[illegible] no(n) [illegible]
[illegible] exceptione
[illegible] exceptio
[illegible] no(n) [illegible]
[illegible] et
[illegible] futuri [illegible] no(n) [illegible] ad
iudice ff de [illegible] et ff de iudi(ciis)
[illegible] no(n) [illegible] et [illegible] de
[illegible] de [illegible] no(n)
[illegible] fieri [illegible] exceptio [illegible]
[illegible] fieri [illegible]
[illegible] fuit [illegible] aliquod
[illegible] et [illegible]
[illegible] exceptio et tunc [illegible] ad [illegible]
[illegible] et [illegible]
[illegible] fuit
[illegible] exceptio [illegible] de [illegible]
[illegible] ut [illegible] futuri [illegible] ad
iudice [illegible] v. et [illegible]
[illegible] i(n) [illegible]
[illegible] exceptio et no(n) [illegible]
[illegible] vel de [illegible] i(n) [illegible]

sup[er] exc[e]p[ti]o[n]e q[uae] [illegible] no[n] p[ri]ncipa[liter] s[e]d
c[on]sequ[enter] accedit . . . exc[e]p[ti]o[n]e . . .
. . . ferri . . . i[n] tota
ut i[n] exc[e]p[ti]o[n]e . . . i[n] exc[e]p[ti]o[n]e
. . . fecit uel . . . p[ro]mit[t]it se fecisse .
. . . C. de fruc[tibus] et litis
exp[ens]is l. termi[n]ato de . . . c[on]stitutio[n]is
. . . l[ex] termi[n]ato . . .
. . . i[n] . . . rursus . . .
. . . exc[e]p[ti]o[n]es h[oc] e[st] absurdu[m]
. . . exc[e]p[ti]o[n]e . . . q[uod] . . .
. . . ut ubi . . .
actio[n]e[m] . . . s[e]d no[n] e[st] . . .
. . . ge[n]e[ra]lis . . .
. . . exc[e]p[ti]o[n]e . . .
. . . exc[e]p[ti]o[n]e . . . debe[n]tur . . . uictoria
C. de iudi[ciis] l. p[ro]perandu[m] . . . depo[sit]i . . .
. . . debe[n]t . . .
. . . C. de fruc[tibus] et litis exp[ens]is
l. no[n] ignoranc[i]e et h[oc] . . .
. . . ut l. . . . C. de iudi[ciis] et c. . . .
. . . temeraria . . .
. . . ut l. . . . temere ff. de iudi[ciis]
Requi[ri]tur . . . et q[uo]d . . . possit peti
. . . alia . . . q[uia] . . . text[us] q[ui]
. . . denegat[ur] . . . iudic[iis]
. . . satisfecit . . . ut
l. . . . C. de iudi[ciis] . . . alia
q[ue] . . . petatur . . . ff. . . .
. . . no[n] . . . l. . . . l[e]g[e]s . . .
exc[e]p[ti]o[n]e[s] et . . .
. . . ff. de . . . l[ex] . . . finita
. . . et h[oc] . . . de . . .
. . . no[n] e[st] . . . ff. . . .
. . . l[ex] . . . pluri[m]a[m]
. . . no[n] . . . alia . . . possit peti
. . . et h[oc] . . . ut . . .
et . . . l. no[n] ignoranc[i]e C. de fruc[tibus] et
litis exp[ens]is et agitur . . .
. . . l. et c. . . . possit . . .
. . . alia . . .
. . . actore . . . ut

ut denegat[ur] adit[us] q[uod] plac[et] . . .
. . . l. . . . suppo[n]it
q[uo]d no[n] . . . actore . . .
. . . et . . . tenet
. . . q[uia] lex lo[quitur] ge[ne]ral[ite]r . . . ff. de publi[cis]
l. de . . . i[n] . . . rei q[uod] adit[us]
iudic[iorum] . . . q[uia] . . .
no[n] . . . exc[e]p[ti]o[n]es . . . no[n] . . .
. . . mitteretur i[n]
possessio[n]e[m] . . .
. . . l. . . .
ut i[n] . . . C. . . .
. . . q[uia] . . . maxi[m]e
actore absente . . . et h[oc] q[uia]
. . . l. . . . mala . . .
. . . no[n] . . . c[on]trax[it]
. . . mala . . . ut l. . . .
. . . C. de iudi[ciis] et no[tandum] . . .
. . . et h[oc] . . . de . . .
. . . et . . . C. . . .
. . . dimitt[en]d[u]s . . .
q[ui] ibi . . .
no[n] dimisit q[uia] no[n] . . . no[n] . . .
i[n] exc[e]p[ti]o[n]e . . . si . . .
et i[n]telligas de . . . q[uod]
no[tandum] i[n] . . .
. . . sola citatio[n]e . . .
s[ed] . . . sola citatio[n]e . . .
. . . de . . . loquu[n]t[ur] . . .
. . . et . . . de . . . et l. . . . q[uae]stio[n]e . . .
. . . ff. de re iudi[cata] . . . q[uia] . . .
. . . sola citatio[n]e . . .
iudic[ium] . . . et no[n]
. . . et c. de . . .
. . . et c. . . . no[n]
. . . citatio[n]e[m] . . .
. . . citatio[n]e . . .
. . . uel admissio[n]e i[n] possessio[n]e[m]
. . . c[on]trarius
. . . e[st] . . .
. . . potuit . . . et
. . . si . . .
. . . no[n] . . . ad . . .
. . . q[uia] no[n] . . .

si iudex bene puniet contemptum suum et petit-
ionis applicandam fisco et p(ost)q(uam) opposuit
q(uod) in expensis q(ue) debentur si in s(ecund)a litis si
succubuit no(ta) in c. ... de elec(tione) ...
¶ Queritur nunquid deficiente in probatione
dilatorie et hoc tangit glo(ssa) distinguens
an sit obiciens calumpnia ut tunc fiat q(uod)
dicto expensis . al. no Alii ut ...
tam ... nasc(itur) in et ... 2 ... it
de expensis q(ue) iusta tenet q(uod) in differen-
tiatur ... hanc amice q(uod) possit
opponi dilatoriam exceptionem non tam hoc
calumpniose et hoc nisi probat(ur) excusetur
a calumpnia ¶ Queritur an expense facte
ante litem contestatam possint nolenti petenti in ...
tam ... et ... tenet q(uod) sit ... no
... ff. de iudi(ciis) et ... ediles ... fuit
... ff. de edili edic(to) ... no. in ... ter
minato C. de fruc(tibus) et lites expe(nsis) ...
... de except(ione) ... in prin(cipio) tenet q(uod) si
sit ... calumpnia possit peti officio
iudicis ... de ... auditis
et ... iudex ante litem contestatam
puniet ... exoffo ff. si quis
... l. ... Alii dicunt q(uod) ...
loqui(tur) de ... victorie et tunc
procedit glo(ssa) in ... terminato aut ...
... et tunc ... nat ...
de ... Alii dicunt q(uod)
... petitur exoffo et hoc verius
... iudex ... si no(n) peteretur
ut not(at) ... de ap(pellationibus) ... ¶
Poterunt autem peti expense coram alio
iudice q(uam) coram quo commissa est et ante
litem contestatam apparet q(uod) non q(uia) contumacia
... no(n) debet ... de ... p(er) ...
C. de iudi(ciis) l. ... Potest tamen adtendi
q(uod) coram eo poterunt peti ut ... si ac
tor ... coram iudice
delegato ... actor non ...
... non ... tempore ... q(uod) de l. non
... procede(re) de ap(pellationibus) ... co tunc ... q(uod)
... coram ordinario ubi ... domi
... ff. de iudi(ciis) l. ... commissa et
... ... possit ...
... q(uod) ... possit petere ...

exhiberi ... q(uod) ... est et ... q(uod)
... p(ost) ... de ... ¶
Quid si actor est missus in possessionem
... contumacia rei et ... vult
expensas facere ... dicunt alii
q(uod) non q(uia) sufficit actori q(uod) sit missus
... q(uia) permissionem non est ...
... actori q(uia) sola tedio affectus
... reus ... condempnari in expensis
ut ... l. ... in prin(cipio) et q(uia)
sua interest ... non est possessum ...
... expensarum et ... expense et
... passus est ... terras ...
... et an lucri cessancia ...
no(ta) in l. ... C. de iudi(ciis) et ibi ...
... q(uod) ... dicit q(uod) aliud expense
ad ... et ... ut ... de in ...
olim ... q. ... in primis ¶ ...
... apparet q(uod) non ... l.
... C. de iudi(ciis) ubi loquitur de dampno
q(uod) ... diminucio ... ff. de dap(no)
... l. iii in prin(cipio). Ingenuum ... ubi
... interesse ubi ...
... C. de ... q(uod) ... co q(uod) ... est
l. ... ff. ... si commissa ...
... hoc ... et ... l. ...
et ... ¶ Possunt autem peti coram
alio q(uam) coram iudice ad cuius ...
fuit ... dic q(uod) non ...
contumacia ... C. de iudi(ciis)
... de ... C. ... sit tamen ...
... peteretur coram ordinario
ut ... et actor est ...
et ... apparet q(uod) ... non
possit ... de ... cum ...
peter(e) q(uam) coram ordinario ¶ ... non
... an litem contestatam ... in ...
expensas dicunt quidam q(uod) tunc q(uia) non
est ... litem contestatam
... est in ... quo
ad ... non quo ad ...
... ad ... de ap(pellationibus) ...
et ubi ... et ... de ...
... ¶ ... fuit

condempnatus expensarum dat q de expe(n)sis contractis pro gravamine petit de expensis victo
ne expensis [illegible] dez ne tamen condempno
vel condempnatis expensarum dic q non exequio
quam de quantitas ad tacebitur demum
tam invicem ut [illegible] expensarum [illegible]
magis ad sua condempnatoria possit appellari dic
q si condempnatus sunt pars et contra
q si condempnatus sunt pars et gravamine
[illegible] quo iure petantur expense glo.
[illegible] hoc terminatur in l. terminato C. de
fructibus et litis expensis dicit q officium iudicis
et l. una ff. si quis dicti dicit
q iure actionis quidam concedunt q lex
terminato intelligitur de expensis rei
victorie que petuntur officio mercenario
in l. una ff. si quis ius dicenti non
concessit. Alii dicunt q expense sunt
ante litem contestatam iure actionis sunt post
officium ut l. si cohibere q iure sciendum
ff. de edilicio edicto sic et in textu
ff. de edilicio edicto sic et in textu
q dicit officio iudicis [illegible] dantur
libellus et ordo iuris [illegible]
expensis [illegible] vel dic q [illegible]
quam [illegible] petiti et [illegible] ut l. [illegible]
[illegible] ff. de re iudicata [illegible] ergo [illegible]
datur q. aliqui [illegible] modum de [illegible]
si dominium sit condempno veniunt expense
sicut ut C. de [illegible] l. fi[illegible] C. de
[illegible] l. [illegible] [illegible] ergo si q
[illegible] in questionis et absolutum
[illegible] an iudex condempnatur in expensis
pro [illegible] vel iudex [illegible] calumpnie
[illegible] et tenebitur [illegible] non et non tamen
[illegible] indubie [illegible] necessitate officij
[illegible] ff. [illegible] [illegible] l. [illegible]
[illegible] necessitate et hoc [illegible]
[illegible] possit de [illegible] ij [illegible]
[illegible] non debent [illegible]
[illegible] propter [illegible] presumitur
calumpnia [illegible] ergo expense ante litem
contestatam veniunt sunt petende [illegible]
[illegible] glo. q [illegible] l. edilicio
[illegible] ff. de edilicio edicto [illegible]

[illegible] possunt iudicis officio et ante litem
contestatam propter evidentem [illegible]
q [illegible] accessorium rei ut de
fructibus et [illegible] partium et [illegible] [illegible]
ne iudex [illegible] si hoc obmisit commissa
[illegible] sic q sit [illegible] ad [illegible] ut
[illegible] in c. [illegible] [illegible] [illegible]
condempnatus in expensis possit appellare dic q
si condempnatur propter manifestam [illegible]
non ut [illegible] in [illegible] at [illegible]
[illegible] [illegible] ibi quidam [illegible]
[illegible] alia [illegible] hoc et [illegible]
et [illegible] [illegible] q [illegible] est
in [illegible] [illegible] [illegible]
expensis q [illegible] cum [illegible]
[illegible] calumpnie vel teme
ritatis [illegible] que sit [illegible]
q. de penis calumpnia et hoc [illegible]
[illegible] calumpnia [illegible] ut [illegible]
in alio [illegible] et sic [illegible] glo.
in [illegible] [illegible] ubi [illegible] [illegible]
q [illegible] in auten. de [illegible] [illegible]
[illegible] ij q. i. in primis [illegible] glo.
q non [illegible] q quis [illegible] de
calumpnia [illegible] in [illegible] [illegible]
q [illegible] q [illegible] iustam causam [illegible]
[illegible] q [illegible] [illegible] alii
q [illegible] [illegible] q [illegible]
[illegible] causam si [illegible] et sunt
apud hos et ibi [illegible] alii non
distinguunt [illegible] de calumpnia
ut [illegible] dicit condempnatus [illegible]
et sunt apud hos [illegible] curia [illegible]
[illegible] et [illegible] [illegible]
calumpniam q. de penis [illegible] [illegible]
q in [illegible] propter calumpniam [illegible]
temeritate veniunt expense ut ibi et
[illegible] calumpnie non excludit
temeritatem [illegible] Confirmatur [illegible]
calumpnie in dicit [illegible] litigi
te hoc tollitur [illegible] ut l.
[illegible] ff. de in integrum restitutione et [illegible]
[illegible] si [illegible] [illegible]

que tantum in feneratis ut in primo casu obligatio
[illegible] liberatoria ut in l. [illegible] secus
[illegible] [illegible] non tollit
[illegible] ut [illegible] [illegible] et si
[illegible] [illegible] defendatur [illegible] de [illegible]
et [illegible] [illegible] [illegible] et
[illegible] de [illegible] [illegible] [illegible] de [illegible]
de [illegible] et [illegible] [illegible] [illegible]
de [illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] ubi actor vel [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] defendendi ut
[illegible] [illegible] [illegible] vel [illegible] [illegible]
reperit [illegible] [illegible] servitio et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] et ubi [illegible] [illegible]
de appellante [illegible] [illegible] [illegible]
[illegible] [illegible] Volo tamen quod attendas quod [illegible]
[illegible] appellat [illegible] ab interlocutoria
[illegible] [illegible] de appellationibus ab
interlocutoria [illegible] [illegible] [illegible] non
[illegible] [illegible] appellationem ubi [illegible]
[illegible] [illegible] appellatum [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible] non [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] secus ubi [illegible]
[illegible] [illegible] de novo [illegible] forte [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] de fide [illegible] [illegible] et [illegible]
[illegible] [illegible] ut [illegible] [illegible]
de re [illegible] [illegible]

Capitulum Continuo [illegible]

[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
ubi [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et adversariorum [illegible] et de
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] ubi [illegible] [illegible]
[illegible] ubi [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] de [illegible] [illegible] [illegible]

[illegible] [illegible] et [illegible] [illegible]
in [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible] de [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
vel [illegible] [illegible] [illegible] [illegible]
vel [illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] ut [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] formidat
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] de [illegible] de [illegible]
[illegible] [illegible] non [illegible] et [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] de quo [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] de crimine [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] de [illegible] ubi [illegible]
[illegible] [illegible] [illegible] [illegible] ut
ubi [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] non
[illegible] [illegible] et [illegible] ut [illegible] [illegible]
[illegible] et [illegible] et [illegible] ubi [illegible]
[illegible] [illegible] [illegible] [illegible]
ad illa [illegible] [illegible] et [illegible] [illegible]
[illegible] ubi [illegible] [illegible] [illegible]
[illegible] ut [illegible] [illegible] [illegible]
[illegible] [illegible] de [illegible] [illegible] et
[illegible] de [illegible] [illegible] [illegible]
[illegible] [illegible] non [illegible] [illegible] non
[illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible]
[illegible] et [illegible] non [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
non [illegible] de [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]

qr ille appellauit et lrã non q se
iuuetur [illegible] . . qui nec patent
q pq et sic timna q ipm apparet et
hec vero no n. opp̄ sic dici exceptio
ubi no e dcto ff. de except. l. i. et ij
et no. ext. de p̄n. de q. aut ppetuus s;
poss ex demitt. a. fr loq. archi. de
ele. c. i. lib. vi. et ibi hos. hic et io
an q. fi̅ de ele. dudu ij cardinalis q
fuit appellatu ad se app. tuc ob c. i.
de ele. c. i. c. vi. l. ii. d. contra sm
hic no suadet nt ob si dicatur q illud
procedit si oppoit. i m. vel i fo. qr
procedit qlitercuq appetu fuit articulo
claus vel pupsons ut ibi no. n
dicas suadet firmi illi doc. vel. appellatu
no fuerit ad ppam ut requirit illa
dec. ¶ Op. iiij qr vr i pmgnto pre
friuola qr facilius reparatur ex
ausitantes et mutatis q. q. aut a. o. pp.
refert se ad diffinitive vel qr si
diffinitie no impediebat mutu ¶
¶ op. qr vr q cita. no generat illa dio
mandata qr acto. si dic no tenet ff
de ver. ob. l. stipulo q. no pt separi
sm a dic qr getiu vnu i diuisibile
pe sit quo q q i pmgt dcm mda
quo dixi de fori c. si hec req. q hic
req. l. et c. cu pati de ap. ¶ Op. qr
citaco fuit ad die futura no tenet de
feri c. si. de ut. ibi dixi qr li dcc
[illegible] vel tunc excelle ¶ op. vj
qr vr q a lege sic citatus ut qpare
at pp r. ut j. de ele. cupientes li. vi. ¶
hoc solutu ibi ut dixi sup textu ¶
¶ op. viij d. pt q li no qparuerit i die
mihilominus tunc p. dic tunc opoz d.
fuit i pedi i ped. loco d. ille
si fuit i pedis citaduci p. ipam
ff de iudi l. pp. si no fuit i pedis
q. sati fuit citatus ut qtulacum q.
q. purgare pt q. dumo qdepnetur ad
expensas no hortabat pp vere. n ob
mandatu de soluendo qr obligacio procedit
mandatu s hic no e obliga. cu mandata
. . dicit q. nec tunc se pucare

si sedet aduersarius ibi manet s; hec
no tollit quin ali dicat q ipse debet
vere accius q expult cas absidet
liceat si aduersariu. Conuenit hec etc
no tollit quin pie et ab dicit q sed cia
hos. excessit. q. c. a. de ele. libro vero
dicit. hos. s si hec ad hic sedet quin hos
dicebat q fuit pptis dies et in i pri
gla dicebat q ctis pp no tuc brevi q
parere ¶ Alii ds. i ter. qsistoru qpie et
deliet ordinarij l i fenorionis pt clu
tunc qparere q qsistoriu ppe i certu
pet i qsistorio i fenoriis q e ubique et
mo. ¶ Post hic ait dicebat hos. hic ait
qsistorio i publico si fuerit fla qr q li
cau et pp. dicit des qparere citatus qr si
hec loca li i qtracta vultee onug l
pcesso iudicis et iudex q reddiantur i
pcipio iudicis et iudex ex l. inter q. a. et
i vitu ff de ver. obl. l. inter q. a. et
fert xiij q i. q peperit i m. ob. q fuit
ptis certo certo qr ff illi i initio pt
sui dicta citaty et firmi citatus q ahi
citatis qs ad tuni cum vel. ad totu velim
q respondi et pi dic. opus hos verissima no
qr licet no qparerint i una actu et ad
hec respondi aliud agendi et ita fuit
hic qr erat citaty ut vivdery obiectio
[illegible] citatur ut qparereat certa dic ut
vivele ad videndu iudice respes q. ad
certu actu tunc adtendo ala pp lap
pt. dici e expedituue articule illi qr
forte potuit expedire i oq. absencia
ut qr recepit sic respes q. de testi c
n et tunc no tunc qparere qr cessit
ea. ppt. q. sic ubi articles no eis
expediri n. expediri poss qr tunc durat
expediry ¶ op. cum iste
ea ppt. q. i citaty
no fuit qtinuo in a die i certo i
ciuitate qr tenet qs i certu redit ad
eo q. no debuit qdepnri i expensas
a die illa no a die citaciois. d. se
a die illa no a die citacois sin q solu
q sit qdepnato a die citacois sin q solu
a die i certa ei pfixa. hos. gtor et
bn qr ex. citaty de eius qtinacia ni gstat
ut i c. qr ut. de c. et tuc sit vera simul
opio a. fuit hic qr fuerit q tempo

Ci̅tac. anteq̅ oy

appellationem non [illegible]
[illegible] ubi [illegible] de [illegible]
non [illegible] quod [illegible] solemniter [illegible]
[illegible] lapsum [illegible] in [illegible]
[illegible] in [illegible]
[illegible] dic quod non [illegible] legitimum
[illegible] de [illegible] et ibi
[illegible] et [illegible] in glo. in c. [illegible] de
[illegible] et [illegible]
[illegible] missio [illegible] ubi
[illegible] partium ubi [illegible]
de [illegible] forte [illegible]
[illegible] ne [illegible]
[illegible] ab [illegible]
[illegible] no. [illegible]
[illegible] Alibi
no. [illegible]
[illegible]
[illegible]
et [illegible] et [illegible]
de [illegible]
[illegible] mariatur [illegible]
[illegible] et [illegible] ubi [illegible]
dicit quod [illegible] testes [illegible]
[illegible] in textu [illegible] singulis
[illegible] certe tertius [illegible] admittitur
[illegible] et ubi [illegible] de
[illegible] non [illegible]
[illegible] ut [illegible] glo. [illegible]
non [illegible]
non [illegible] quod [illegible] non [illegible]
[illegible] crimina [illegible]
de quo dic ut in c. [illegible] non [illegible] et ubi
[illegible] glo. [illegible] non
[illegible] crimina
[illegible] glo. [illegible]
plene [illegible]
singulis et [illegible] forte [illegible]
de [illegible] singularis [illegible]
ubi [illegible]
[illegible]
[illegible] singulis [illegible]
[illegible] et [illegible]
[illegible]
dicit [illegible] talionis

[illegible] quod illa [illegible] non [illegible] et
[illegible] talionis [illegible]
[illegible] et de [illegible] non
[illegible]
[illegible]
[illegible] et [illegible]
in [illegible] et [illegible] et in
[illegible] et [illegible]
in [illegible]
[illegible] in [illegible] non [illegible]
ad [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
et [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible] in [illegible]
[illegible] non
[illegible]
dic quod [illegible]
[illegible]
[illegible] dic ut
in c. [illegible] de [illegible]
[illegible] non [illegible]
[illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
et [illegible] et
[illegible] et [illegible]
in [illegible]
de [illegible] et [illegible] de [illegible]
[illegible] et [illegible] quod non [illegible]
[illegible]
[illegible] de [illegible] in [illegible]
[illegible] non [illegible]
[illegible]
[illegible]
[illegible] de [illegible]
[illegible] quod [illegible]

contradiceret [illegible] et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et in anno de reuendi cum
olim [illegible] [illegible] [illegible] [illegible] ut c. i. de elec.
[illegible] et c. cupientes e. t. [illegible] [illegible]
de c. [illegible] de elec. [illegible] ut [illegible] con-
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible]
[illegible] in confirmationibus devolutus ad se [illegible]
[illegible] in illis [illegible] [illegible] ad [illegible]
ut [illegible] [illegible] [illegible] [illegible] electum confirmatum
[illegible] [illegible] non admittebatur [illegible]
[illegible] de [illegible] [illegible] [illegible] de electi-
[illegible] [illegible] iste negabatur confirmatio
[illegible] [illegible] vel dicebatur confirmatio [illegible]
[illegible] [illegible] [illegible] ubi [illegible] de confir-
et [illegible] confirmatione [illegible] [illegible] [illegible]
[illegible] electum confirmatum et [illegible] [illegible] [illegible]
[illegible] ut declaretur nullitas [illegible]
opponendo [illegible] [illegible] electus vel confirmatus [illegible]
de elec. [illegible] [illegible] et in hac [illegible] [illegible]
confirmatio [illegible] [illegible] fuerit et [illegible]
[illegible] de elec. [illegible] [illegible] [illegible] [illegible] non
[illegible] [illegible] [illegible] [illegible] non [illegible] [illegible]
[illegible] fuit [illegible] [illegible] [illegible] de [illegible] [illegible]
[illegible] [illegible] [illegible] de crimine [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] confirmatio [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible] [illegible] confirm-
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
confirmatio [illegible] [illegible] [illegible] non [illegible]
[illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] adversarium
[illegible] [illegible] [illegible] [illegible] de elec. [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] non [illegible] [illegible] [illegible]
electus confirmatus [illegible] [illegible] [illegible] [illegible]
[illegible] de elec. [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] defendi [illegible] c

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
ydoneus de [illegible] c. [illegible] [illegible] [illegible]
[illegible] omnes [illegible] [illegible] [illegible]
hoc [illegible] ubi non [illegible] [illegible] [illegible]
firmatorum [illegible] [illegible] [illegible] [illegible]

non audiretur opponentes [illegible] electionem
non [illegible] [illegible] [illegible] de [illegible] de elec. c. [illegible]
[illegible] [illegible] dicens [illegible] illud c. [illegible] [illegible] [illegible]
[illegible] [illegible] confirmatio [illegible] [illegible] non [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] de [illegible] [illegible] cum olim
vel in confirmatione facta [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] c. [illegible] [illegible] confirmatio
[illegible] [illegible] [illegible] de [illegible] [illegible]
non [illegible] [illegible] ad hoc de [illegible] [illegible] [illegible]
in [illegible] [illegible] devolvuntur electiones [illegible]
[illegible] et [illegible] c. cupientes [illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] in [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] ut c. i. [illegible]
allegato [illegible] quo ad [illegible] [illegible] [illegible] audiretur
opponentes ubi non fuit [illegible] [illegible] ut
in [illegible] [illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] de [illegible] non
[illegible] et confirmatorum [illegible] de [illegible] [illegible]
[illegible] [illegible] cognoscere de [illegible] de [illegible]
et [illegible] [illegible] cognovit et [illegible] cog-
noscere [illegible] [illegible] confirmatio [illegible]
[illegible] [illegible] [illegible] et [illegible] non fuit [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ut [illegible] non [illegible] [illegible] [illegible] porro [illegible]
[illegible] appellantes remittebantur ad eosdem
[illegible] [illegible] [illegible] de [illegible] [illegible] [illegible] [illegible]
in [illegible] [illegible] [illegible] [illegible] adverte [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] cognoscerent de electione
[illegible] non [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] confirmatio [illegible]
[illegible] et [illegible] hoc tollitur [illegible] [illegible] [illegible]
non fuerit cognitum de electione [illegible] [illegible]
[illegible] confirmatio [illegible] [illegible] non [illegible]
[illegible] [illegible] [illegible] [illegible] fuit [illegible]
[illegible] potuerit cognoscere de [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
non [illegible] [illegible] [illegible] [illegible]
et [illegible] confirmatio [illegible] [illegible] [illegible]
ad hoc non [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] cognoverunt
[illegible] [illegible] cognoverunt et [illegible] [illegible]
[illegible] hoc [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] confirmandam [illegible]
[illegible] confirmatorum [illegible] [illegible] [illegible] non
[illegible] [illegible] [illegible] confirmatio [illegible] ad aliud
[illegible] [illegible] [illegible] non [illegible] remissio [illegible] [illegible]

d. appellat. quare non tm̄ sunt ꝑ secutus
ubi gᵒ appellans non ꝑsequitur iudex a quo
ꝑsequitur de ap. ut debitas de ex ꝑte [illegible]
pro incepti dc ut dam sunt i c. qm
ꝑ alio ¶ In glo. i. ibi soli i mo ceter
et alius qui ꝑ incertat ꝑ ext. sunt
circulbentur ꝑter rela. nec licet [illegible]
c. venerabilem

Cas. ꝑ agitur de crimine
i modo denunciationis qᵘ vero gtraire
recipi possit testes et fieri diffᵘᵃ possit
ꝑᵒ ponit denunciationes ꝑ et narrat tres
legatos et ꝑcessus habitos s. depon
ꝑ n. ibi abinos emissum lucet ini c.
et ibi post ꝑ arbor i brevis debz procedi
ut alia talia i peratur ꝑ ex ꝑ [illegible]
de sigmis c. uno lib. ꝑ plent quintum i
ꝑ sunt dentata ipsi ꝑ dedit et ꝑ
cauerunt brixien ipse forte c hibne
[illegible] ou alienans pendente lite i qm
[illegible] deqᵘ fit merito i ꝑ c. ab ꝑ
hoc cum ꝑ q. ꝑ a pro micius a
[illegible] q. cum de off. del. c. ij. lib. [illegible]
ꝑ qᵘ [illegible] i [illegible] sunt [illegible]
[illegible] clarica a. tract. tuma ff. de iud.
l. ad ꝑ et [illegible] q. in de ulta
[illegible] difficulter ꝑ [illegible] fit cum fit de cog
[illegible] c. ij. lib. ff. de iud. l. i certis
malicia gcor [illegible] ꝑ ut audiendi
quibus ex malicia sunt ut gtraria
exigere testes recipere q. [illegible]
[illegible] q. ꝑ [illegible] i inspecto [illegible]
ms [illegible] a ꝑ non esset [illegible]
sufficere [illegible] q. ꝑ gtraria
[illegible] gtestes ini q. [illegible] de
[illegible] et [illegible] q. [illegible] c. [illegible]
imperitie [illegible] hoc [illegible]
q [illegible] opan [illegible] q.
[illegible] de [illegible] i [illegible]
gen c. i. de ꝑ [illegible] eundem [illegible]
ad [illegible] v. [illegible] cum [illegible]
q. in audi sacerdotali hac sunt
admictu ꝑ de ꝑ ab hoc c. de
[illegible] ab [illegible] non [illegible] de [illegible] ꝑ
[illegible] ff. hac intelligebatur
[illegible] sunt [illegible] ꝑ [illegible] detur
[illegible] sine [illegible] sunt i. de [illegible] cum

cum [illegible] ¶ Item q. de [illegible] cum
[illegible] i [illegible] sit delegabiles de
of. del. [illegible] de [illegible]
¶ Item ꝑ gtraria [illegible] sunt
ab hoc [illegible] q. in nemo de [illegible]
¶ Item collige ordine iudiciarium [illegible]
debere [illegible] non [illegible] ꝑ [illegible] ¶ Item
ꝑ [illegible] in [illegible] vel [illegible]
[illegible] non [illegible] ¶ Item q. fit [illegible]
[illegible] ad [illegible] malicia
[illegible] ut ¶ [illegible] de quare iudex
cog. de [illegible] ff. de iud.
[illegible] de [illegible] cum [illegible]
cognitum sunt de crimine et [illegible]
[illegible] ¶ [illegible] q. [illegible]
non [illegible] crimine ꝑ [illegible]
[illegible] ut hic et [illegible]
[illegible] gtraria et [illegible]
[illegible] crimine ꝑ [illegible] et
[illegible] ¶ [illegible]
[illegible] non absolute
[illegible] ff. de [illegible] l.
filio [illegible] de [illegible] qm
[illegible] ¶ [illegible] ꝑ
[illegible] ꝑ non [illegible] ordo iudi
[illegible] ꝑ [illegible] libellus sunt [illegible]
[illegible] in criminalibus de
[illegible] criminalibus in q [illegible]
[illegible] ¶ [illegible] hic sunt [illegible]
ordo iuris ꝑ [illegible] cum [illegible]
debet attendere ꝑ sunt [illegible] ordine
et i [illegible] ordo q [illegible]
[illegible] de [illegible] qm et hic [illegible]
[illegible] de [illegible]
[illegible] de [illegible]
¶ [illegible] ordo [illegible] q [illegible]
i [illegible] ꝑ i [illegible] ut [illegible]
[illegible] de [illegible] iudi [illegible] et [illegible] c. [illegible]
[illegible] de [illegible] ¶ [illegible] ordo plus q
[illegible] ut [illegible] q [illegible] i
[illegible] i [illegible] ordo [illegible] ordine
non [illegible] de [illegible] ad [illegible]
[illegible] q. i. manifesta et c. de iudi
[illegible] ¶ [illegible] in d. ꝑ [illegible] pro
[illegible] ꝑ [illegible] vel [illegible]

vel opponere quia in criminibus sicut in ceteris
expressum c. 1. de accusationibus ubi agitur criminaliter
secus ubi de crimine agitur civiliter de
appellatione tunc de actu super quo est
petitio opponens si non in actu ducto et
petito non debent dicere de suo
criminaliter non debent dicere de suo
dicebas de actu quod ii c. hoc in Du
at ista communiter si [illegible] in quo ita
ponitur quia in iudicio in quaestione
petitio in accusatione ut si de actu in
quaestione in prima. ¶ Op. [illegible] ad [illegible]
quod licet quod excommunicatus in hoc possit de suo [illegible]
quod licet quod excommunicatus contractus habitus
si vero hoc est quod contractus habitus
cum excommunicato non est [illegible] quod qui dicebat
eo non remisisse [illegible] quod sine
[illegible] suspensione sicut erat in [illegible]
[illegible] suspensi a lege [illegible]
suspensis [illegible] mortua [illegible] de [illegible]
bene. ¶ Quaere quod non [illegible] valebat
contractus initus cum excommunicato de rebus
spiritualibus de rebus certe hic apparet quod
spiritualibus de rebus spiritualibus primo videtur quod
non de rebus spiritualibus [illegible] et si de suo excommunicato si
quod in quantum [illegible] et si de suo excommunicato si
[illegible] hoc quod ubi in casu speciali
si pendente excommunicatione non potest agere
de [illegible] cum [illegible] libri ipse autem
de [illegible] ut ex. de [illegible]
[illegible] quaeri ut [illegible] valeant agi
[illegible] ¶ [illegible] in [illegible] in iudicio
[illegible] excommunicato [illegible] sint in iudicio
[illegible] ut [illegible]
et tunc agere de [illegible] si excipitur
non [illegible] an sit occultus vel publicus
de [illegible] si ut [illegible]
de [illegible] in [illegible] si ut testis [illegible]
[illegible] de [illegible] si ut [illegible]
[illegible] de [illegible] professionis. si ut [illegible]
tunc si publice excommunicatus [illegible] de [illegible]
[illegible] ad probandum si occultus [illegible] ut ibi
[illegible]. si excommunicatus [illegible] cum speciali
ut tunc [illegible] caractere confert
et recipit de suo excommunicato [illegible]
non [illegible] a si [illegible]
si autem cum alia speciali tunc [illegible]

excommunicatis [illegible] publici officii ut cum episcopus confert
beneficia ut confirmat et tunc si publicus
non [illegible] si occultus ut [illegible] ad probandum
[illegible]. si autem [illegible] in
[illegible] ut [illegible] eligendo tunc non [illegible]
[illegible] publicus [illegible] occultus [illegible] de [illegible]
de [illegible]. si vero [illegible] non
speciali ut [illegible] vel testando
tunc [illegible] in [illegible] casus speciales ubi non [illegible]
quod [illegible] excommunicatus de [illegible] excommunicatus [illegible]
[illegible] de [illegible] [illegible] libri. [illegible]
[illegible] quod dicebat in hoc
[illegible] obligaretur alii non
quod [illegible] excommunicatus obligaretur alii non
tamen obligari [illegible] alii quod [illegible]
in [illegible] ut [illegible] excommunicatus [illegible]
contractus fuit [illegible] lege non [illegible]
[illegible] ¶ Confirmatur [illegible]
excommunicatus non agit de obligatione [illegible]
excommunicatus [illegible] in [illegible]
¶ Confirmatur [illegible] tempore [illegible]
[illegible] mortis [illegible] mortifi
[illegible] absolutus [illegible]
[illegible] tempore mortis [illegible] mor
[illegible] de [illegible] cum [illegible]
¶ [illegible] quod non [illegible] si
[illegible] superiores et hoc [illegible] in
[illegible] et [illegible] excommunicatus [illegible]
[illegible] ut in [illegible] de
[illegible] de [illegible] si [illegible]
[illegible] de [illegible] si [illegible]
[illegible] excommunicatus [illegible]
[illegible] excommunicatus [illegible] ab
[illegible] habitum [illegible] excommunicatus [illegible]
[illegible] ¶ [illegible] excommunicatus [illegible]
[illegible] de [illegible] mo plus
[illegible] quod [illegible] ad [illegible]
[illegible] quod [illegible]
et ibi [illegible] vestes [illegible]
[illegible] et alios ¶ [illegible]
[illegible] contractu et de [illegible]
[illegible] contractus [illegible] de [illegible]
[illegible] de [illegible] et [illegible]
[illegible] si [illegible] quod [illegible] potiui
[illegible] quod [illegible] natalis [illegible]
non [illegible] de [illegible] ortu
[illegible] de [illegible]

et tunc excommunicato clam in furto Quarto clericus cum in-
troducta immo potius facta excommunicatione contra-
¶ confirmatur contractus cum blasphemo obliga-
torius ff. de ver. sig. l. labeo et contractus
[illegible] hoc excommunicatus obligatur et obligat
ut esset in pluribus pro hoc facit de sen. ex.
ut habere ¶ Quarto magis valent agere
et [illegible] excommunicatus in pluribus [illegible] quod non
de [illegible] cum aliis cum [illegible] quod illa
[illegible] publici officii [illegible]
[illegible] excommunicatus publicum valet de re iud. ad
[illegible] et [illegible] habita ut acta [illegible]
publici officii valent durante [illegible] excommunicatus
tolleretur in [illegible] quod non [illegible]
de off. [illegible] l. barbarius [illegible] excommunicatus
[illegible] tollerentur [illegible] ubi non
[illegible] publici officii [illegible]
ut cum [illegible] ¶ Quarto [illegible]
magis excommunicatus [illegible] excommunicatione publicatur
possit in [illegible]
non durante excommunicatione [illegible] ad [illegible]
[illegible] et hoc [illegible] tempus [illegible] quod [illegible]
[illegible] quod [illegible] et non [illegible]
C. de legibus [illegible] non [illegible] quod in [illegible]
[illegible] quod possit [illegible]
[illegible] non in favore excommunicatorum ¶ Quarto
[illegible] aliqui [illegible]
quod excommunicatur [illegible] sed [illegible] quod [illegible]
[illegible] possit [illegible]
salutis [illegible] de [illegible]
excommunicatus [illegible] et [illegible]
de quibus xi q. iii [illegible] sed [illegible]
[illegible] tenentur obedire [illegible]
[illegible] xi q. iii [illegible] et
[illegible] quod
[illegible] quod cum excommunicatis [illegible] non debemus
xi q. iii cum excommunicatis ¶ Confirmat [illegible]
[illegible] et [illegible] xi q. iii [illegible]
[illegible] possit [illegible]
[illegible] et
[illegible] excommunicatum et [illegible]
[illegible] non [illegible] et [illegible] non
[illegible]
[illegible] quod [illegible]
et [illegible] in quod
obligatus non [illegible]

[illegible] non [illegible] quod [illegible]
[illegible] de [illegible]
[illegible] excommunicatus [illegible]
excommunicatus repellitur ab agendo non de-
fendendo de iure in [illegible] de
excep. [illegible] et [illegible] exceptione [illegible]
a [illegible] primo in agendo [illegible]
defendendo [illegible] non [illegible] de [illegible]
[illegible] de [illegible]
[illegible] scribendo [illegible]
[illegible]
[illegible] de [illegible] de [illegible]
[illegible] et [illegible]
ut [illegible] et [illegible]
[illegible] ab [illegible] excommunicato [illegible] non
de re iud. [illegible]
[illegible] et [illegible]
[illegible] non [illegible] de
[illegible]
[illegible] excommunicatus de [illegible]
opinione [illegible] non [illegible] de sen. ex.
[illegible] ¶ Quarto [illegible] quod non
[illegible] excommunicatus [illegible]
[illegible] quod non [illegible]
[illegible] excommunicatus [illegible]
hoc [illegible] de [illegible] et [illegible] quod [illegible]
et [illegible] de [illegible] de sen. ex. [illegible]
[illegible] et [illegible] opinionem [illegible] non et [illegible]
[illegible] de [illegible] non credo in non
credo cum [illegible] et [illegible] et [illegible]
de sen. ex. [illegible] et [illegible] de [illegible]
[illegible] magne glo. et [illegible] de
[illegible] de [illegible]
[illegible] de sen. ex. et [illegible]
[illegible] non [illegible] de excep. cum
[illegible] ¶ Quarto [illegible] excommunicatus recipiat
[illegible] de excep. [illegible]
[illegible] de [illegible]
[illegible] de [illegible]
[illegible] quod [illegible] non [illegible] excommunicatus
excommunicatus [illegible] negociando vel dono
recipiendo [illegible] ¶ Ego non
credo hanc opinionem veram in [illegible] credo
[illegible] ut [illegible]
[illegible] quod [illegible]

in non [illegible]

in [illegible]
in [illegible]

restituitur iudicio quod tradatur. ad restitutionem Item propter pendentiam expolii cum non potuerit in plene quis [illegible] et hoc [illegible] culpa sua cum hoc [illegible] [illegible] sicut ff. de pen. l. decernimus li. vi. [illegible] cum qui [illegible] [illegible] [illegible] ut in [illegible] possit condere testamentum [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] sua expoliatus [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ff. de pen. l. expo. [illegible] [illegible] et hoc in [illegible] de pen. ex[illegible] ff. [illegible] [illegible] [illegible] et [illegible] [illegible] exspoliatus [illegible] [illegible] possit [illegible] expoliatus [illegible] [illegible] [illegible] [illegible] [illegible] et not. [illegible] et Io. an. de except. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] libro [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] petit [illegible] non [illegible] [illegible] [illegible] [illegible] potuerit [illegible] [illegible] non [illegible] hoc quod [illegible] [illegible] Ingl. [illegible] [illegible] ibi moder. in [illegible] de moderamine [illegible] [illegible] [illegible] Io. [illegible] et [illegible] et ibi [illegible] melius [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] cum [illegible] [illegible] [illegible] adiscretione alterius [illegible] [illegible] [illegible] [illegible] et fieri potuerit [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] hoc [illegible] alii [illegible] [illegible] quod ipsi [illegible] non fuerunt [illegible] [illegible] [illegible] [illegible] [illegible] alii [illegible] quod [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et hoc [illegible] [illegible] [illegible] hoc non [illegible] et hoc [illegible] in [illegible] [illegible] et non adiscretione [illegible] [illegible] alterius [illegible]

Cum actor missus in possessionem ex [illegible] vel [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] possessor [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] possessio [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] agitur reali [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] canonice [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] missio [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] Ingl. [illegible] ibi noxali [illegible] [illegible] [illegible] [illegible] [illegible] decretum [illegible] [illegible] noxali alibi [illegible] [illegible] noxali et

[illegible] [illegible] [illegible] ex [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ego [illegible] [illegible] [illegible] [illegible] [illegible] facultate [illegible] [illegible] vel [illegible] tu non defendis [illegible] ego [illegible] in possessione et [illegible] [illegible] [illegible] [illegible] decretum [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] in possessione [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] glo. [illegible] [illegible] non est plene [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] decreti et ibi cum [illegible] [illegible] [illegible] [illegible] hoc [illegible] ut [illegible] ff. [illegible] [illegible] in possessionem [illegible] [illegible] glo. [illegible] missus ex [illegible] decreto [illegible] possit [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] possidet [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] possident ff. de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] hoc [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] not. [illegible] [illegible] restituitur [illegible] [illegible] et non [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] defendi de iure [illegible] [illegible] [illegible] missus [illegible] [illegible] [illegible] decreto et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] hoc tribuit violentia [illegible] [illegible] [illegible] [illegible] tribuit [illegible] multo fortius [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ego non [illegible] [illegible] [illegible] [illegible] [illegible] missus ex primo [illegible] [illegible] non [illegible] possessor et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] hoc tamen [illegible] aliud est in tenere [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] violenter possidet [illegible] [illegible] [illegible] [illegible] violenter possidet [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] hoc [illegible] [illegible] [illegible] [illegible] possessione [illegible] [illegible] possessorum [illegible] [illegible] possessione [illegible] [illegible] [illegible] [illegible] petit [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] missio et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] missio in possessionem rei [illegible] [illegible] [illegible] [illegible] agatur de [illegible] ut [illegible]

i glo no ob quod dicis quod accidit sit quod
d quod non hz vic i cura dicti ipsam obtine
bit faceret m hoc accide posse si ex
scieri pretr ignorantia possens quod factur
hoc si bona fide hat et probabilis sit
ignorantia de re eis missis a preto sciens ma
tam fide hat illa si noci non alia de cosa
tu esset tu appt. iudicis autem ff quod cu
fal. tu aut l. i ff de mo l. aut ptor
q. i dicto … de pig act l. exer
cu quod ius non hz ut qr res petita ad
iudicabr illi q titulum hz ius de ff de qdi
i dolo l. iulianus de re iudi cu inter
Cir materiam primi et s.i decreti
gnc q.a q sit dicunt aliq quod p.m decretu
e p.o iussus si prima missio i possione
sed s.s iussus si s.a missio ua de scibit
glo i l. finita q. iulianus ff de dap i fec
hz resp m pnas s.d c prima et s.d executio
de de execu rei iudi l. i ff de re iudi
l. si cu ulta sit s.d iussus s.a missio est
alta alter quod prima s.d et alter quod executu
ff de re iudi l. a diuo q. i C de iudi
l. exsperandu q sm aut sit diuus re
p.at glo i l. scita sfl.ta et sic p.t de
p.a et s.a decreto et de. dans q p.m de
cretu e primus iussus de mittendo missio
aut e illius executio sit g decretu e g
iussus et missio e ipsius executio sed
non rely ut b alii reprobant et primo
quod oes diffi. e quer. cu diffinito
ff de re iud l. oes diffi. ff de dolo
l. i si quod diffinitio non queritur nisi
laxo si prius ff de noui operis nunc e
p.m decretu et tu no iussus de
mittendo cotra ff de dap i fec l. is
quis fidius i negatoria et gfesso.a
quis i terpoi. g decretu C de
aliter i terpoi. p.m decretu e prima
si bene go sit p.m decretu e prima
adiudicatio quia actori aliq applica
tur sed audire alti quere sed gtra
ria sit g decretu e s.a adiudicatio dico
prima ad dictam s.e adiudicatio gtra
ut queat gs primu decretu i terpo
sitione tam i rebus corporalibus q. uniuersis
ut l. si p.s pati alegata C dixi
alti applicatur ad dictam intelle q
no applicatur alti ut C de mo infra
l. fi ff si q.s ius dicen l. una

Nota d'… … … … … …
… pot post … … … … …
… … … … … … … …
titulum

Dixi scia audire ad dictam illis
q sit a lege C de iudi l. scimus
dixi appter gtrariam ad dictam coste q
sunt scilt diffinitiva sa cu tunc sit
missio executiua Rxemus e decre
tu dicitur quod ut ros q e decre
tato uel possio q hz de missu ua
as hoc resp. ut q decretur alii quod
i rei i. quod phibite i certo casu ff
missio dant … i re meris …
hibus alienari. hoc resp. quod sciend
iudex pmittit sit i his alii dant
quod decretu e rei regla. non ff
missio certo casu scia phibetur uel
premissio Queri dicatur p.m de
cretu dr quod ff abneglatoz predictis
non quod ad ratio sequatur sic rursus
hoc ff ff quod diffinita … hoc sig
c. m Queri … … p.m de
creti sit prima i terlocutoria uel diffi.ta
dr quod i terlocutoria non n. e diffi.ta
cu illa i ponat fine gtrauersie
ff de re iudi l. i et e cu aliis q.m …
i… Rursus quo aliquis iudicibus …
…an i terpo. primi decreti dicitur
aliq quod alii petitur i terpoi aptter
gtrariam i ea dicit non sit cognoscio
minor iudex qui excedit summam i
aut de defen. ciuitat q et iudi
care tunc potest iudices i terponere
gl i ea de q. minores cognoscunt et
tunc magistri municipales i terpo
nunc C de iudi l. quociens g sa de
… Hec aut cons quod ista opinio
supponit errore quod p.m decretu
i terpo. … … mercena
rio quod non e uerum ut … declarabit
dr g. p.m decretu i terpoi posse
ff iudice ca i q. purgas gtrariat est
ff delegatu ut hic i c. i et ii
Queritur quo … ff … ad
p.m decretu dr quod debz emendare
actio ff … ad i stanciam ptis
ff de iud l. … at no hz
nisi ad i stanciam ptis ff de dap
i fec l. … q … Aut 220

2ᵒ q̄ ista ē dubia q̄ p̄ᵒ q̄ petit at
ba l. at pᵉsptoriū ¶ hic dicere
q̄ alt fuit tres citatōes et tñ nō
expedit q̄ expimatur noiᵃ pᵉsptorij
ē quo et q̄ ubi l. tres denūtiatōes
dic sic sicut q̄ oib3 de seᵇ go q̄stituᵗ
dis et tñ debz exprimi noᵃ pᵉsptorij
ut et tu dict et l. q̄ sentētiā ē quo
et q̄ ubi et l. ad pᵉsptoriū ff
de iud. ¶ Scito tu q̄ si citanᵒ pōt
q̄ verba aliquē termiᵒ elapso p̄ ad
i quātū de iure poterit q̄ tñ hab
bū pᵉsptorij ut dict l. ad pᵉsptoriū
dl si dicat solū i quātū de iure
potiᵒ tñ ñ nō suffic̄ nisi exprimatur
ut ē tu dicta ē alia et hoc si dicit
ad cognitōē et finitᵒ et hoc ē ut
ad hoc ut possit puēiri ad diffinitōē
vel ad p̄ᵐ decretū si quātū ad alia
ff i tellig̃ pᵉsptoriū ut si citetur ad
ad videndū iurare testes ē de testi
l. si q̄s et l. de testi i nouē dīct vel
q̄ vidat adiudicatū aliq̄ i terua
tenā nā tñ i tellig̃ pᵉsptoriā quo
ad id ¶ Videt glo q̄ citatᵒ nō videt
hoc ñ requirit ut vidat ad p̄ᵐ
decretū hoc i tellig̃ sufficere qparē
te ad si nō bēn nō i plicitur ad
ff si quis i ius voc. nō ierit l. ij
et l. arbiter ff de arbi
¶ Itē si actor qparuit et rei qtumacia
accusauit nō tñ appar3 q̄ pera tuta
tuo recessit vi. nō suffice nō ñ suff
qparē nisi tō die termiⁿ expectet
ff de iud. l. deoz ff de re iud. l. ppter
et nā pr de pcīs calupniarū ¶ Itē
si quis habebat i eadē pallatio multas
cas qt cōtra plures ctōres et qparuit
q̄ dicens pᵉsptoriē nō dūd et pera
litigatōē recessit suffic̄ ne ad q
tumacia excludēdā dic q̄ sic p l. at
capiet ff de adit tu. ¶ Itē si
reus qparuit p pᵉsptoriē nō legi

qparuit dic q̄ sic ut ē dic si nō qparuisset
ff expili cāᵒ i pos cātur l. iij q̄ de
fendi ¶ Itē si citatus ē quis i pᵉ
et qpare pōt nō legī qparuit et
dum disputatur de legitimate mandati
termiⁿ elapso citatōē trāsierit q̄
forte quōnis citatōes fuerūt sic
si pera pᵉsptoriē pōt nō ee legitī
potio ut ubi q̄ cōde q̄ reū tenē q̄
tuatē tñ nō appareat ē actus q̄ de
bet si pᵉtendit i termiᵒ q̄ reū dic
q̄ si ille qt tñ fuit qstitutus si nō sit p
curatōē tñ intendo cū liceret legi
tumē nō ē amplius expectādus q̄ id faciet
si nolle bene ff de dip i sec. l. i
q̄ oppoñ si nō erat qstitutus dū vide
si appareret nō misisse at aplius ē
q̄ actor qparuerit i quoz termiᵒ ne ab
q̄ longetur p mandato et eiᵒ qtuma
cia accusᵃ ¶ Itē Vt reus et ubi
qparuit dic hic q̄ l. et mādat reo
q̄ qstituitur reus nō ubi q̄ fiet dic q̄
q̄ reductur ad p̄ᵐ decretū at si eiᵒ ab
sens ē quo et q̄ ubi dicta q̄ fit
et ibi glo et l. nō videtur defendi ff
¶ Itē dicas ubi pcedatur
de tempore q̄ p̄ᵗᵉ ad p̄mū decretū aliud hoc vij
q̄ pᵗᵉ ad p̄mū decretū aliud l. vn
p̄ decreti ff de noya l. io qui et l. si
t ff. de dip i sec. l. interqus ff
de interrogā ac l. nō aliēd ē ac
de interrogā ac l. nō aliēd ē i ac
tōibus q̄ in aliquot eiᵒ facit pᵉ videtur
ad p̄ᵐ decretū q̄ i pᵉ actōib3 q̄
et q̄ nō extrāmite ff de dip i sec. l.
si finita q̄ forte i alius secus ff ex
quib3 cāᵒ i possessione eatur l. fulciᵒ
et io i illis vg bn p̄ decreti i
alius vg bn p̄mi et p̄ hoc de
qfes tñ l. q̄ ubi p̄ hic q̄ nō suffes
aduēture recedens pᵉ q̄ q̄ fessō
a q̄ ff. dū hic q̄ nō et hāc
opinionē tz glo i auct. q̄ sic et eiᵒ
i l. vita ē de lit qtesᵗᵉ ¶ Itē reᵒ
nō bene nⁱ. nisi est ne nisi q̄
ubi qparuit alia qtumacia ...

an q̃ i terpo̊r p̄mū decretū ſīc tȝ q̄-
ſit i. t. de p̄º et ſº decreto. ſu q̄ nō
ſufficit q̄ q̄ſtet de q̄cumq; C. ad trebelli
l. ſcimus et ibi glo ſup̄ ver° q̄cumq; et q̄
i l. p̄mi C. de his qui ad ec. q̄fugiunt et
i auct. de exhiben. reis § ſi vero quida. ⁋ Itẽ
q̄ q̄cumq; debeat liquere iudici de q̄ ſit
al' nō valȝ eius decretū ff. de excep̄. cū
i poſ. cautum. ⁋ Itẽ quid ſi miſſus retulit
curie ſue notario et nō iudici ſufficit ne
dic q̄ ſic ſi p̄ eā fiet notū iudici ſicut
est i ſimili. p̄t notario p̄duci C. de ap. l.
eos q̄ ſup̄ p̄ūs ibi ad ſcrineas et ibi
gl. et i ſec. q̄ nō ē necē q̄ relatio fiat
iudici p̄ tribunali ſedenti. ⁋ Itẽ quere an
debeat dari l̄r̄as i p̄ma miſſione ex p̄º
decreto ſic i t. de p̄º et ſº decreto tenȝ q̄
nouus l̄r̄as debeat dari hoc nō ē neceſ-
ſe na miſſio ex p̄º decreto fit ex poſſe ſtē nō
citata q̄º nō ē opus l̄r̄is ut i offeratur
m q. iij. q̄ hoc fecit ff. q̄s ordo i poſ. bo
ſue l. iij. § de his et l. ſi ſuus ff. de bo. po.
et i auct. de exhiben. reis § ſi vero et l. q̄ſen
taneū C. quo et qn̄ iudex. ⁋ Itẽ quere p̄
que verba fiat i terpo° p̄mi decreti b°
dicunt aliq; q̄ fiet p̄ hec verba decerno
talem mittendū i poſſeſſione talis rei
q̄cumq; adverſarij exigere h. rep̄. p.
p̄ illa verba potius videri dari lex mitten-
di q̄ ferri ſniaȝ q̄ adverſarium videtur
ȝ verba hec t. talē eſſe talē decerne
i mittendus i poſſeſſione ꝓ ſed lic dicunt
q̄ p̄ talia verba fiet miſſio talem i poſ-
ſeſſione talis rei ca cuſtodie ꝙ i pug-
tur q̄ iudex ſtatim tu ꝓ dicē miſſi cor-
pora i mittat. Tu dic ſi ſic fit i
t. ij. q̄ iudex debet ſic dicē decerno
iubeo vel q̄ſtituo te eē poſſeſſore talis rei
ca cuſtodie et volo q̄ talis muraus
te i ducat et debȝ dari miſſio
ut i ꝑducat et i ꝑtū referat ff.
de re eo q̄ ſub tu ſit l. magis q̄ ut
tuto teneri et l. i. de remū cū alie aliquibȝ
et ſi nō mittatur tū i telligr̄ eē
i poſſeſſione ut hic et anno elapſo ſi nō
admittatur efficitur poſſor ut ibi
⁋ . aut debet iudex decerno te
eē verū poſſore et nō ina ſtaltur poſſeſſione
tū verus poſſor efficitur ſi iura verū
poſſeſſoris et fructus facit ſuos ff. de
acqui. re. dom. l. hoc vel dr̄ decret
iudex iubeo talē q̄cumq; ut q̄ q̄ſtare
habito q̄ recipiat talem poſſeſſione talis
rei. ⁋ Itẽ quero q̄r fiet hec miſſio
dic q̄ p̄ executore deputatū p̄ verba
p̄miſſi decreti ff. ut i poſſeſ. legȝ l.
iij. aut q̄ miſſus. ⁋ Itẽ quid ſi iudex
q̄mittat eidem q̄ i q̄cedatur dic
q̄ tūc poterit C. ſolu. matrio l. dotis
et ē mittas i re ſua q̄ p̄t ff. de
fideiuſ. l. eē cū qui q̄ eſſet ita nō
ſa de arr. ff. de nouū opis nūc l. a.
q̄ miſſio. ⁋ Itẽ quid ſi tenebat re
illam ut q̄modatam ut depoſitam dic
q̄ iudex nō decernet mittendū
ſed dicet decerno te poſſidē et nullo
vit ne p̄turbetur ff. de dep. i ſec.
l. ſi ſequeſtrarius. ⁋ Itẽ quero an ad aude
dam i terpoitez p̄mi decreti debeat
citari dic q̄ nō q̄ i p̄ſcito aude
a iudice aſſignato debuit iudex te-
minari aliqm̄ exigere tua q̄tua
ad p̄cedimus ad miſſione ex p̄mo de-
creto ff. de iudi. l. ad p̄ceptorum de of
del q̄ſulit. ⁋ Itẽ quere vtrū p̄mū
decretū debeat i terponi i die p̄
ceptorij vtrū an ſequēti ut C. q̄ſulit
de of. del ubi p̄t vtrū de p̄ceptorij
vel de equitate i ſequēti expſtari
⁋ Itẽ quere i quibȝ cauis et reb;
i terpoi p̄mū decretū hic ad tende
q̄ ex variis cauis ſit i terpoitio p̄-
mi decreti quȝ n. ſit eā legatorum
ff. ut i poſ. legā p̄ totū qn̄ eē iȝ ea
dapni i ſec. ut ff. de dap. i ſec. l. ſi
finita q̄ ſi eē iȝ p̄ter q̄tumaciam
i actione p̄ſli ut hic nō q̄ quā q̄ ſi
et hoc t. p̄ totū idē ſi exmedi lig
differeſt. na i p̄ſli fiet miſſio p̄º i
poſſeſſione mobiliū ſi extant ſi i
mobiliū tero non ut i qm̄ ſtep̄
q̄ ſi p̄ aſto ff. de re iudi. l. a diuo

pro quod supra retro. in reali in possessione
rei petite vel in persona non efficitur
possessor infra annum quia est custos. Item
annum si interponatur secundum decretum
in reali. Post annum quasi quandam efficitur
verus possessor in immobilibus sed alias non
si lapsu anni circumscripto secundo decreto
efficitur verus et in immobilibus. Secundum
fiet in nova sed non in mobilibus rei in
mobilibus. Et quod iudex dabit debitores
et si confiteantur se debitores quieti
sunt quia fiscus vel principes l. ij
interdicit eis ne solvant creditori
precepto eius dari et solvant ipsi qui agit
et preter compendet actori ut habeat
in quo mittatur. Et ut lite pen(dente)
r. s. in s. [illegible] secundum apud illum in aliud
bona petito missionem mitti in debitor(um)
quorum bona sua possidentur. Et alium magis
mittatur et si mittatur magis loco
pignoris patero retinere possessionem
pretorie restitui dum ille possit pre(torie)
petere vel retinere tantum dampnum ut quod non bonorum
et offerat se vel supra de iure videtur
primo missione fiendam et missi
posse retinere ff. de re iud. l. a divo
pio quod supra retro et quod regulari et si et
C. de fideius. qui ad et confugit l. quanti
quod r. et quod plc. Ingenuum non debet
dari bonorum capi in secundo ordine de quo
in actione de pedaneis quod si mox ad eius
fieri vocabitur et restituetur ille
ad commodum possessionis quod non debent
sic precludi ff. de iud. l. plaud. n.
C. si per vim vel alio modo l. fi. et si
sit violenter de ref. pro. D. l. iiij et
i. ite cum quis ij q. ij vj argum. et
quod iura mihi possessio ut dari debent
solus ante alterius de re iudi. [illegible]
[illegible] secundum si reus sit solus usufruc-
tuarius quod pro dies qualiter substituetur
actori secundo iudex uebebit actore

quando deteriorem pedaneus iure usufructus et
missus habebit simplicem custodiam
et usufructum [illegible] vero in quadam
si missio ex secundo decreto sit missio in reali
aut in personali aut mixta primo casu olim missio
V. oul. bo. ff. ex quibus causis in pos. eatur l.
r. et l. ij. L. de bonis aut [illegible]
C. de bo. aut iudi. pos. l. cum sponte sed si
quod per missiva debiti [illegible] in [illegible] de
libera quod si vero si aut agitur reali vel quasi
corporali et tunc si dolo desiit possidere idem
quod in personali si aut possidet et non latitet fit
missio in re petita si latitat olim in omnia
missio in re petita si latitet olim in omnia
hodie fit immissione rei petite ad instar
pignoris ff. ex quibus causis in pos. eatur l. fulcis
et ite [illegible] et quod [illegible] si aut quasi
in corporali tunc si actor est in quasi possessione sui
tamen casus offert bonum quod. D. adversarius
ff. de no. operis nunt. l. si prius si aut non
est in quasi possessione tunc mittetur actor
est in quasi possessione fuerit ff. de [illegible] in fit
l. ut [illegible] quo [illegible] si agatur inde
de imperio ut col. et dum. de [illegible] si
Secundo dic quod si agatur ad personales
petitiones idem quod in personali ff. ex quibus causis in pos.
eatur l. aliquid in ea ... si aut agatur
ad quam divisionem tunc si ei incitatur solus
possidens ille mittetur in possessionem propter
quod in diviso ad instar realis ut l. si quis
cautiones quod plc. si aut uterque possidet et
alteruter negaret agere et quod forte et
tunc in eum [illegible] bonum probandi [illegible]
contrarium ff. de novi operis nunt. l. si prius
si aut non negat et non solum divisione
detractat tunc [illegible] in [illegible] de [illegible]
ind. quod plc. ff. de [illegible] l. [illegible]
quod [illegible] quando in [illegible] dum lite
[illegible] dum lite g. ut l. si quis
cautiones quod plc. et [illegible] et [illegible]
[illegible] et [illegible] lite [illegible] ut C. [illegible]
ne dicta l. ij in si ut lite non [illegible]
quod [illegible] quod plc. et l. [illegible]
C. quo et qui iudex et [illegible] C.
qui [illegible] in pignori [illegible] l. si
decreto [illegible] dum poss. in tempore
iudice non sedente per tribunal secundo [illegible]
[illegible] per decretum [illegible] non [illegible]

i possessione vel apertis ff de acq poss l. iii q vl. Item si est pregnatum sit
maria ex cognito ut l. ii § ubi i re
dicto adhuc scilicet q iuxta poss posset
induci non sedente p tribu^li scilicet dari
sine bonorum possessione q no tribuit
ius ff qo ordo i bo. poss l. ii q. dicis
¶ Queritur an sit manie q li^tas procedat
curatoris de q sit ut ali p p̃torium gsti
tuit q gtradit l. de hiis qui ad certi gsti
l. pmi i aut de litis q ad exactiones
das coll. viii C de epis et cl. aut gna
et not glo ut lice non est qui i si ubi
debiti i li^o de stati ¶ Queritur utrum
si curatores una curatore decedat sit nolo ban
he an expediunt alie curatores glo
tenet q no i l. si ff de i integrum rest
et e verum ¶ Queritur an i i tempore
prioe p^i decreti date p pretorium exprime
i curatore cum p̃betur ad pmum decre
tu sit i tpe an lice gta^dum sit p^s
tu est p^s lice g. ^tdum i tempore C
de iudi l. sperandū q sim aut mens
mons dum q ois dilatio p^s lice g. ^tdm
e p̃ p pretoria ff de feri l. si de excep
prescr^t ¶ Sed attende q dilationes p
batione sit p peremptorie est si no exp
matur secus i dilationibus expectatoriis
ibi n. deg. i feri pretorium ff de iudi
l. ad p pretorium et l. gsentaneum C que
et qui iudices ¶ Queritur an possit ap
pellari ab i tempore pmi decreti
Et videtur quod non q e interlo^a C
quorum app^oes no recipiuntur l. an sine
qui iure canonum sit de app. ut debity
¶ Queritur an missus ex primo decre^o
p sedbat ^o missus i reali s quasi
possidet missus aut a p̃ ex p^o
no possidet g^o no p scribit ff de v pe cap
l. sit possessione et r. sit possessione de n
usu p a ii ¶ ¶ p^s xxx annos sit
repellit absente est si vult et ca
ueat ut no^l i aut et qui iurdi C
de bo. aut^t iudi possiden. sedens
aut p xxx annos et tamens gstquitur

re nu sit vendicas t ab indicta do
que dat ut nomi i c. quo q si ut
lite non est ¶ Queritur quis sit effus
pmi decreti d^o quis effus e q
n pot ut tue ala inbendo ut ca
ueatur ff de nom app mit l. si
prius alii sit mittendo i possessione
ut p̃totu t q̃ xi^m quis additur
plus s. q fructus lucretur ff de
quibus caus. i poss eatur l. sulpi^s i si
quis p^m t^o bim s.^1 ff de noxa l. quo
actione q p̃tor ff de dap i fet l.
i terquos q si duo qui iubs tenere
in possessione q b ff de dap i fet
l. si p̃ tractatus ala ius iubs tenere
loca pignoris ut i fere capes C. de
p pig l. i. hoc tn e verum missus
secund. ^d ut n pot h duos effus
¶ Queritur utrum missus ex p^o de
creto faciat fructus suos dic q no
sit i duobus casibus ut dicit i glo
et l. si fructa q. iulian^s ff de dap
i fet sit de ar addit ter^m de
ut i glo ¶ Queritur utrum i tanta
libs missus ex p^o lucretur fructus
dic ut ptea tanga ¶ Queritur an p^m
decretu hat effum ut possit exco
bteri al s ^o dic q ubi p^m
no e plene gsultu tunc h bim
ut possit excobteri al s at no
ut glo i q iulian^s p alia ¶ Queritur
an missus ex p^o possideat et si sit
missus i p̃li acc gcordie q no
possidet est nat^r et q^z nat^r possidet
ci dam i verdom. uti possidetis
ff. uti poss. l. si q̃s si ipas no. datur
ff e t. l. si duo q creditores ¶ Si
aut p̃neali aut legiste cautere te
net q possideat s gmm^r C de p̃sc
xxx ut xl annorum l. si q̃s ep̃tores q
pte ¶ Canonista q. ut e p̃scrip^t. de of
or et dic i effectu p̃ter q i p̃ scribendo

pars differt quia contra [illegible] preter quam in fructibus exhibi pars. quare si tamen non reciderit a causa sua incurrit tamen in quantum [illegible] de monstri [illegible]

Item nota quod de misso in actione ypothecaria glo. in ultimo quod statim possidebit statim in reali glo. [illegible] supra eodem titulo quod [illegible] dominus [illegible] agri quod debuerit et tunc idem [illegible] ut statim non possidebit agri quod [illegible] et tunc [illegible] in reali [illegible] glo. [illegible] dicit quod [illegible] in ypotheca [illegible] in remedio [illegible] textus [illegible] ut [illegible] eodem titulo

Item quando autem [illegible] auditur creditor dic ut notavi [illegible] et [illegible] de [illegible]

[illegible] decreto [illegible] ad [illegible] decretum [illegible] dicti [illegible] ut [illegible] de [illegible] ff. de [illegible] et [illegible] ff. de [illegible] et [illegible] ff. de [illegible]

Item [illegible] debeant [illegible] et [illegible] non [illegible] et ff. ex quibus causis maiores in possessionem [illegible]

Item [illegible] sufficiat [illegible] decretum interponatur quod [illegible] latitare ff. ex quibus causis in possessionem eatur l. fulcinius [illegible] et [illegible] latitare [illegible] non latitante [illegible] ff. de [illegible] quando [illegible] requiritur latitatio ut l. fulcinius [illegible] non [illegible] ut [illegible] non requiritur latitatio ut in [illegible] et [illegible] non [illegible] de [illegible] ad [illegible] non requiritur latitatio [illegible]

Ubi requiritur latitatio non sufficit [illegible] ad [illegible] sed [illegible] sufficit [illegible] non [illegible] l. fulcinius [illegible] latitare et [illegible] possessore [illegible] et [illegible] preter quam in [illegible] ubi notatur [illegible]

Item [illegible] ut [illegible] ad [illegible] decretum requiritur latitatio requiritur quod latitet [illegible] sufficit quod latitet [illegible] glo. not. [illegible] latitare ff. ex quibus causis maiores in possessionem eatur [illegible] l. fulcinius [illegible] non [illegible] ignorare [illegible] textus [illegible] et textus [illegible] ff. de [illegible] in possessionem eatur et ubi [illegible]

Item quando [illegible] non latitat [illegible] et [illegible] ut ff. de [illegible] l. fulcinius [illegible]

Item [illegible] quod [illegible] ad [illegible] ut [illegible] ff. [illegible]

Item quando de pupillis et minore [illegible] et [illegible] ff. de [illegible]

Item quando de furio[so] [illegible] ut l. fulcinius [illegible] ff. ex quibus causis [illegible] in possessionem eatur

Item quando [illegible] auditur [illegible] non [illegible] et [illegible] non [illegible] ff. de [illegible] et [illegible]

Item post [illegible] non auditur [illegible] non auditur [illegible] glo. [illegible] auditur [illegible] ad [illegible] decretum ut [illegible] et [illegible] et glo. [illegible] debitore [illegible] creditor

q. debitore et dic ut notum ut hic non q
qm i si fi. a ceus potest ¶ Item ad tede
q alit q. aliq c fi missio q no de
fendit et tunc veniens ad defendendum re
cuperat possessionem refectis expensis
al. c fi missio q no solvit et tunc no
recuperat nisi solvat. al. c fi missio
q no cavet et tunc no recuperat nisi
caveat ff de dam i fec. l. si finita q
si is qui damnum et q se q ri et ibi c
d ber sup extre et gl. i l. cum qui ff
de quib. credito ¶ Item pone venit et resti
tuit expensas et vult i pedire p decre
tum et dicit q no debet i terponi dic
q iudex i terrogabit eum si vult solvere
expensas et defendere si vult recuperabit
et procedetur ad s pro novo lib. hic pro
q. i t de p. et s. decreto et per
tex. i aut et qui C. de bonis aut iudi
poss. ¶ Item an post debeat de cognito
gla et hic tenet q si i l. fulsi ff ex
q b cau i poss eatur ¶ Item an i iter
positione s decreti debeat de novo i
duci i possessione glo i pri. de of iudi
q si tu q pr aliq tenet contra non fuerint
iudicis et partis ut l. si ob ctam C de
ebi si pro non est vere denovo i ducendus pro
possessione ubi alter detinet ut dat in
u. tr. sferatur i prin. de rerum dimi
q inter dum et l. inter dum q q vero ff
de acq re dom. sufficit in prima decreta
eo q. in. iudex de novo i duc ubi dixi
decretabat opus dum e verba et i ca
i l. quius ff de dam i fec i si inter
l. si ppriectatis e. t. et l. si pretor q
eo qui e t. et sunt ca dispu. sa bu
¶ Item q no i tu tus debeat interpone
s decretum prius primum ad. arbitrio iudicis
q no e terminatum de of sed de causa
in t c alia. de ber. sig. tenet q p s
nec melius q arbitrio iudicis ¶ Item
quo iure procedatur ad. quidam q iure
actionis alii q officio iudicis et hac verius
ut l. i. ff de insp an iudi =

¶ Item que est an nobili vel mer
cenario pe et cinq i l. cum pponeres C
de bo aut iudi poss. tenet q offo nobili
et hoc dic glo in tex. legis iubere
cave ff de insp an iudi et legis c. a
ff de admin. de administratione ubi g.
q e inquirit i pern. g. expedit offo no.
ut no. i l. magnum q q. ubi decretum
ff de of consulis et legat ¶ Item In quibus
in quibus causis i terponatur s decretum
ad. i aliis actionibus et petitionibus q pr actionibus
pe i terponi primum et s decretum nisi ma
rei dig. agitur repugnante duobus actionibus
pfibus ff ex qui cau i poss eatur l. a.
C de pro pig. l. ii petitionibus ut compre
dat actionem i re et i ii de ff ex q
cau i poss ea l. fulsi ff de bullarius
z q sepa ¶ Item i ppetuis ut copre
dat offm iudicis ut pro m. t. ff de
dam i fec et melius ff de i poss lega
nisi na rei repugnant i bn sicalibus
eu agitur de tutela ut c. cum qui de do
et q tu de q Inde alibi procedit i ter
poni primum decretum ¶ Item de s.
glo i l. iube cave ff de insp an iud
in q solum a ca damni i fecti i ter
poni s decretum alii q solum i cau
ave dampni i fecti et i ca nova de h.
opus neps qz eo i alias pfectibus
actionibus i terponitur s decretum C de iud
l. pperandum q in aut C de bo aut
iud poss l. cum ppos ff quibus ex cau i
pos ea l. fulsi s forte antiq fue
runt moti ad illam opinionem q i illis
duobus casibus solis adiudicatur res p
s decretum pretori no actor ut plus
vel minus valeat i alias vero dispon
vel adiudic. i solutum adtendit me
sura debiti declarati. tenendum e g. glo
q d. q i aliis actionibus gfibus per i ter
poni s decretum s i ca leg. de aq. z
i possessione nave veneris et ff. tolle
... q i aliis actionibus pt i terponi
s decretum ubi no c plene d iusti

p[er] p[ri]mu[m] p[er] l. i[n] cau ff. i[n] pos[sessionem] leg[ato]
ru[m] s[i] pe[t]o cau[ti]o[n]e[m] no[m]i[n]e legatoru[m]
misso i[n] possessione[m] hi[c] b[onoru]m caucione[m]
[et]c. c[um] plene p[er]mi[ssum] ... no[tat] ff. de
dap[no] i[n]fec[to] l. si fi[ni]ta § si p[ro]p[ter] ...
et l. si de bo[n]is § de pupillo ff. de
carbo[niano] edi[cto] q[uod] no[n] expedit s[ed] ...
ad h[oc] decretu[m] ... qui vult q[ui]a p[er]
cipit sola[m] cau[ti]o[ne]m s[ed] aut age[re]
except[i]o[n]e et petere legata tu[n]c ...
q[uod] i[n] aliis creditorib[us] ... dicas ...
b[ene]... e[st] plene p[er]mi[ssum] p[er] p[ri]mu[m] de
cretu[m] ... q[uod] s[i] fuit i[n]ter
positu[m] p[ri]mu[m] decretu[m] q[ui]a no[n] ... ebat
et debitu[m] e[st] pure vel purificatu[m]
a[n] ex[...] p[ro]mi vi[d]etur ad
... q[ue]dam ... p[er] gl[osam] § ... ff. ut i[n]
pos[sessionem] legat[orum] l. i[n] cau et c. ... l.
s[i] creditore ff. de privil[egiis] credito[rum] [et]
... an i[n] actio[n]e exceptio i[n] corpo[r]a
... q[uo]d actio[n]e exceptio ... ag[itur]
p[er] decretu[m] ... admitte[re] et tu[n]c p[ro]cedit gl[osa] i[n] §
... q[ui]a i[n]terposuitur p[er] decretu[m]
... vendit[ur] no[n] ... ...
... no[n] ... hoc ... ex ...
actio[n]is exceptio ... misso
... alia ag[itur] ad re[m] vendita[m]
et tu[n]c alia ... misso no[n] i[n] re[m] ven
dita[m] s[ed] alia et tu[n]c ... ad i[n]
terea ff. de acti[onibus] e[m]pti l. i. et tu[n]c
gl[osa] no[n] ... alia ... misso i[n] re[m]
vendita[m] et tu[n]c ... res ... i[n]
... et tu[n]c ... e[m]ptore ...
no[n] ... venditoris ... ff.
de l. iii. l. qui ... § s[i] heres
et l. s[i] ... ff. de ... et tu[n]c i[n] corpo[r]a
p[er] decretu[m] ... s[i] venditor ...
tur e[m]ptore ... ut l. excip
to i[n] p[ri]n[cipio] ff. de actio[n]e e[m]ptionis s[i] no[n]
... parat ... vendi' ut ...
l. exceptio et l. ... ff. de ...
et sic no[n] e[st] ... p[er] decretu[m] ...
q[uo]d sit effect[us] p[ri]mi decreti ... q[ui]d i[n]

i[n] effect[us] p[ri]mi decreti q[uo]d n[on] sit et ...
effect[us] ... ut ... ... i.
... de ... et tu[n]c ... no[n]
... de i[n] ... l. ...
... p[er] decretu[m] ... q[uod] possideat et
tu[n]c erit ... vel ... ut d[icit] gl[osa] et
faciat fruct[us] suos. alia t[ame]n p[er] decre
tu[m] ... vendat[ur] ut l. ...
§ i. ff. ex q[ui]b[us] cau[sis] i[n] pos[sessionem] eatur et
l. cu[m] ... de bo[nis] aut[oritate] iud[icis] pos[sidendis]
et tu[n]c erit effect[us] q[ui]a habebit e[m]ptor ...
legatu[m] cu[m] ... vendita ...
de ... ad ...
do creditori i[n] solutu[m] et tu[n]c effic[i]
tur d[omi]n[u]s ...
... debitu[m] ... de ...
i[n] p[er]petu[um]. l. ii ff. de dap[no] i[n]fec[to] l. si
fi[ni]ta § ... aut ... sancit
q[uod] denegetur petitio dominii ...
... et tu[n]c ... q[uo]d ... misso i[n] poss[essionem]
... ff. de dap[no] i[n]fec[to] l. ... et
... i[n] reb[us] corporalib[us]
... q[ue] ... i[n] corpo[r]a ...
... ag[itur] ... vel ...
... i[n] corporib[us] ... ad ...
... tractat
plene ... q[uo]d agit ...
... et ... i[n] ... sunt
remedia ... q[ui]a ... ex ... sunt
... sunt ad ...
... ad ... actionem
... i[n] possessione[m] misso ... sunt ...
alius modus ut ...
... no[n] ... et ...
vel ... cu[m] ag[itur] ...
... mittitur actor i[n] possessio
ne[m] ... vel rei ... no[n]
... ut sit custos vel ut ...
... et ... t[amen] ...
actore i[n] sua possessione ...
... et ...
... ut ...

de ricem oppi amit l. s pius ff de capite legatorum l. multiplicanda C de t genim l. dis similiter ff ut i pos lega l. si pecunie ff de condi l. l. i q si aut agitan megato no fit qr n fieri possit sy mi dabit causam de no multiplicanda in unibus d. actio fit ex ps agenti i tendio vel possi et vn C ps unius i certis

si t bene | c si de alia
c si de inactib
cuius si neg no i bene

suff qui publice citatos ad eandem qua ad et post duplici forma citatois unitas simul fecit p tam s dem mit det fieri p alia et de eadem fra l. c. si de mil et ob et c. si de dila S. i morbis pend mors c fine vice ut more finis litis ff de re iud l. a. suffine sup his q potuerit p uideri si sup nome vn dabi dilatio ad inuitandum dno de principe dies ut lite au qr qm f fit et debet c si defacto tes no possi aliq de exagitibus qua li pmudatu nisi vnu expimitur et sequentur clausule generalis de pcurat qui ad agendum si sunt respicientes et q: pure est q hic sunt ambiguo misse no pbetur ad eum [illegible] q hoc pcons c ecco lites durime ne S. c fine de of or ut lite pendente i q ff s. ter pe l. quod extiterint

see q i ed liberali i tervunt p curs see q fit citatio ad eandem c eam op citatos fuit et brevi general eam si vi q debuerunt citari ex des suffraganei pri dum q. des i q. S. dicitur aliq q ipso no i tererit sup q. et de hac dicit ut dixi de dila c fi op q sunt liberali no pit p aut i tervenire C de lati liber tol. l. vna S. pterea g unutri i alia ba q fuerit et ex quod

ista ea et ita erat hic si p q pro nostris i liber no ff de pourit no solu q. si statq q no ob q: la i petite finitute no q cla matte i liber tate vel. dic ut cessent dub q ita q hic no agi de finitute h aus vel libertate si subiectois op Gloss ptr mandat hus q citent et sent et alia vn hic hac sup flum q hac hint a iure de of del sup poni et l. 2 uniter C de mil quida stant glos alij dicunt q no potuisset qr vilq batur clara i dustria et c. fi si ipm tridet q ex eo citu et alia ptr citare op pro Gloss ad pcuratorem no vel mis ptr nos citatos ff de mil l. ad pcuratorem pom q m de illia tra q. istud c. loco si no fuerit fiu unis qr fit vna sola i pli cetus pcuratorum et hac i ppri mitur de quo dem c de of del g sibiut c pue qi si q cuctur vna citatoe n epimidet q: sit pcepto c. q tuchs nugi q dep vel i pcepis dic ut dixi de pcurat querelam et c. i fine si iu decs qm amit i pos eius

ipsa S. de q ua si q: ppt generali frequent sit cumissio i pos alia ergo alia posse decreto no q [illegible] de dolo et gen subpi [illegible] de cumissio [illegible] et q sup q dem c quod curii debeat et ob q eam et [illegible] vbi [illegible] q unis gerat cumissio et i pc grad si et q sunt inter pi i q de cui et p [illegible] si c. q fuerit eiq

[illegible] cumissio i responsione pq cum effectum benes pfertur [illegible] q cum eadem [illegible] pio [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ut [illegible]

[illegible] si de ite p [illegible] [illegible] [illegible]

[illegible] et [illegible] in sigillo [illegible] ... [illegible] ... sufficit voluntas ut [illegible] ... [illegible] in glo. [illegible] agebatur de [illegible] ... in corporis [illegible] decretum et [illegible] ... [illegible] decretum [illegible] ... [illegible] possessore aliqui dicunt [illegible] ...

[illegible] ... agebatur possessorio [illegible] ... [illegible]

[illegible] ... de eo a quo [illegible] agatur negatoria [illegible] ... agens possidet [illegible] ... [illegible] dominium [illegible] ... in corporibus [illegible] ... missio non in corporalibus [illegible] ... missus verus possessor [illegible] ... [illegible]

[illegible] ... voluntas [illegible] ... voluntas [illegible] ... [illegible]

Volunt

App' ... [illegible] ... fi.

aduerte quod alia quis non cogitat ... nec
placet et stat vero quia non puniuntur sine culpa
plus in crimine lese maiestatis et de his
et in certis notatur in C. sine culpa liberis. Alia
cogitat et non facit et tunc alia voluntas
stat in terminis primis et tunc quas ad
corpus triumphantis non puniuntur tamquam
mortalia quia illa procedunt a sensualitate que non
procedit a voluntate stante ratione de quo
de pen. dist. i. et palea si [illegible] in glo.
Alia consistit in actu deliberationis et tunc in
foro contentioso numquam puniuntur de pen. di. i. co-
gitationis sed quo ad ecclesiam triumphantem con-
templationis sed [illegible] delictum ut in vobis [illegible] in glo.
[illegible] sed non completur
alia deliberationis aliquis facit sed non completur
[illegible] et tunc [illegible] actus non datur ff. de
[illegible] fur. l. vulgaris factum in actu de suo
corrupit ff. de ser. corrupt. l. i. quod quamquam
corrupit [illegible] et l. si quis [illegible] C. e. t. quia si aliquos
[illegible] consummatum est delictum [illegible] minus [illegible]
[illegible] adprehensum et tunc [illegible] ad actum
[illegible] remotum [illegible] ad propinquum si ad remotum tunc
non puniuntur ut de [illegible] si [illegible]
ff. de variis et extraor. cognit. l. i. et si [illegible]
[illegible] fortassis tunc puniuntur ut
[illegible] ff. de [illegible] incendium [illegible]
ad actum propinquum tunc quia non completur quia non
vult quia cum [illegible] quia non potest si quia
non vult non puniuntur ut de actu [illegible]
ff. de fal. l. qui ea mente si si quia non potest
tunc quia non potest quia impeditur impedimento
[illegible] ut [illegible] quia [illegible] ad [illegible]
ut [illegible] librum et reperis me
dono tibi librum tunc non puniuntur ff. de
fur. l. [illegible] si quia impeditus in
[illegible] fit et tunc si aliquos puniuntur ut
de [illegible] Alii dicunt quod [illegible] agitur
et [illegible] equinus et debet C. de [illegible] et
[illegible] l. si quis non dicta alia cogitat agit
et perficit et tunc non est dubium quod puniuntur
quia rei publice interest ff. de [illegible] ut
[illegible] agit et perficit si non
cogitat et tunc [illegible] culpa
[illegible] levis [illegible] levissima [illegible] puniuntur
si non [illegible] dolosus [illegible] levius

adhuc puniuntur [illegible] et [illegible] de [illegible]
[illegible] culpa et non
[illegible] puniuntur
[illegible]
[illegible] quod [illegible] missio
[illegible] non [illegible]
ad expensas [illegible]
[illegible] remedio [illegible] iudicat
[illegible] ibi nos [illegible] si [illegible]
[illegible] iudicis [illegible] et rei quod debeat
[illegible] de [illegible] et in [illegible] de
[illegible] placitis [illegible] et [illegible]
[illegible] c. i. [illegible]
[illegible] contumacis
[illegible] si [illegible] et [illegible]
[illegible] ipse [illegible] retulit [illegible]
et [illegible] de remedio [illegible] sibi [illegible]
dari in possessione i. corporalem [illegible]
[illegible] i. si non fuit [illegible]
[illegible] quod [illegible]
fit missio [illegible]
[illegible] quod delegati
[illegible] corporalem [illegible]
[illegible] quod [illegible] defendit [illegible]
[illegible] sit et frustratio [illegible]
[illegible] actor sequitur forum rei de [illegible]
[illegible] laycus debuit conveniri coram
iudice [illegible] erat de terra
[illegible] et [illegible] in foro quod [illegible]
[illegible] de [illegible] laycus conveniri coram
legato quia ibi [illegible] si [illegible]
[illegible] non possit fieri [illegible]
[illegible] ut non [illegible] dicendum
[illegible] [illegible] consuetudo laycorum non
ligat clericos de [illegible]
[illegible] non debuit [illegible] conveniri [illegible]
[illegible] dicit alia et [illegible] opus [illegible]
[illegible] consuetudo laycorum ligat
clericos [illegible] non sit [illegible] libertati ecclesie [illegible]
[illegible] ecclesias [illegible] clericos [illegible] [illegible]
[illegible] est [illegible] non
[illegible] quia consuetudo non ligabat [illegible]
[illegible] forum [illegible] dicit quod erat
consuetudo tam clericorum quam laycorum [illegible]
quod [illegible] in [illegible]

ar. gtre d. f. form gsuetus vel. illam
ep iudices no fuerunt gsueti ?
a. n. form inuidati vel pcessionis
de rp cu dlet f. ius g. no credit nete
appell. n. q. vj. Et si ff. quorum appellati
ones no recipiuntur ptotu ete iste
appellabat ne gravaretur de fco vel
dr q ptes sunt forme quare dicit re
mittere Iste iste appellauit a
ad ppam vel vt obstare de of del.
supp apnu q. porro. ad legatus e ordi
nus de of leg. c. r. gnu legatur
i delegat vel dr q hic subdelegat
uerlt ii tatu vel q fuit egressus
[illegible]

appe de ap no solu k q cu g car
ingls ppl Laur i fi hec sola fuit tam
et tam q quod fecit de pat cu pride
hoc dicebat q p. gparuit cora legato
no tamen cora iudice fi cetq cora hoc ista
appo et gpoitus gres ptrpans q p
hac no intendebat appe remittere
alii dicit q legatus cognouit ut tam
i fructa reitterum alij q habebat
puatum cognoscendi de appellacoibus i
terpatns ad ppam et dr q contra
uoces marchie vel illud puatum
alia fuit dicta ab a app q appans
legi no gdicentur ut gtraho a expensis
[illegible]

[illegible] pendi qui ab [illegible]

hic gl. i alius qui non [illegible]
ad distribucionem cum non liceret [illegible] suffi
cit necessitas ad dominium ut missio fiat et
ferretur diffinitiva vel [illegible] in [illegible] quod in
causis aliis est procedi potest licet non contu
max quia predictum ad diffinitivam ut ad [illegible]
missi fiat citatio contumacis per [illegible]
[illegible] et contra [illegible] de pen [illegible] et hoc
in tam de prima citacione facit hoc si cum
ubi uxor agit contra maritum vel econtra
quia [illegible] quia [illegible] tenetur re
[illegible] facere si quis absens sit hoc
[illegible] male [illegible] de [illegible] est
dictis de marito et istis [illegible]
[illegible] legitimam absenciam [illegible]
alias causas [illegible] [illegible] fuit oppo
sui quia hoc [illegible] certo loco
[illegible] et [illegible] ibi tamen [illegible] non
fuit [illegible] absencia
[illegible] non tamen [illegible] contumacia per
missio [illegible] non procedetur ad diffinitivam licet
non [illegible] in hoc procede in eo
[illegible] actore qui [illegible]
[illegible] ferretur diffinitiva ut in [illegible] quod fiet
[illegible] quia et [illegible] [illegible] contra in [illegible]
si actor [illegible] contumacia [illegible] in
qua missione passus recuperat possessionem
[illegible] anni [illegible] qui [illegible] et
solvit expensas ubi non fuit [illegible]
[illegible] [illegible] restitutionem
ut solvat expensas [illegible] esset lata
[illegible] quia [illegible] repudiata
de re [illegible] [illegible]
[illegible] non fuit contumax [illegible]
[illegible] non [illegible]
[illegible] quamvis [illegible] anni [illegible]
[illegible] lapsum anni non efficitur verus possessor
[illegible] [illegible] missio [illegible]
[illegible] subdiaconi [illegible] subdiaconum [illegible]
[illegible] [illegible] de [illegible] missio
[illegible] hoc missio in anglia [illegible]
[illegible] [illegible] et [illegible]
[illegible] [illegible] anni
elapsum [illegible] [illegible] possessionem
possessionem [illegible] restitui et non debebat

[illegible] lapsus anni [illegible] anni [illegible]
[illegible] [illegible] [illegible] non [illegible]
[illegible] possessionem re
cuperat [illegible] recuperat et
solveret expensas [illegible] collige
[illegible] rubri [illegible] licet [illegible]

[illegible] qualiter [illegible] [illegible]
[illegible] novatur licet [illegible] quia [illegible]
[illegible] possessio [illegible]
non credere [illegible] licet [illegible] non
[illegible] possessio et [illegible] tum
[illegible] non [illegible] et [illegible]
[illegible] licet [illegible] [illegible] innove
[illegible] possessionem non [illegible]
[illegible] vel [illegible] [illegible]
alienetur [illegible] et [illegible] vel [illegible]
novum [illegible] [illegible] ubi [illegible]
possessionem non [illegible] novare ut
[illegible] [illegible] [illegible]

[illegible] licet [illegible] possessionis [illegible]
[illegible] non [illegible] [illegible] [illegible]
[illegible] patrum et [illegible] [illegible]
[illegible] [illegible] thome ut [illegible]
quod est [illegible] [illegible]
non esse [illegible] ad hoc [illegible] possessionis
[illegible] [illegible] novandum [illegible]
[illegible] [illegible] procedebat [illegible]
[illegible] licet [illegible] hoc tanto
non [illegible] licet [illegible] in
novatur [illegible] pendente [illegible]
[illegible] novari [illegible] [illegible] et
[illegible] [illegible] [illegible] de [illegible]
[illegible] [illegible] novari [illegible]
[illegible] relatione de [illegible]
[illegible] [illegible] [illegible]
[illegible] oblatis [illegible] [illegible] oblatis
[illegible] et [illegible] [illegible] [illegible] de
[illegible] [illegible] iste archiepiscopus
[illegible] [illegible] [illegible]
eboracensem [illegible] deferri crucem [illegible]
[illegible] anglie [illegible]
[illegible] [illegible] et [illegible]
possessionem eboracensem qui [illegible]

[illegible]

… Jnglo …

… lite pendente

[illegible]

nō dimiss̄ [illegible] alias
legem [illegible] [illegible]

sꝫ ut uidebit̄. cū mandā gratia dū dēt
nō debz de ḡpū. nō regulariꝫ ꝑ dict̄
illam nisi accedit nouꝯ ꝯsꝯ ut ibi nō
et hoc credo uerū ubi ꝯtena ignorat̄ i pe
datur tpe gratie ꝑꝯ p̄sumitur uel tūc i
eiꝯ gratia dispensaro habilitaꝫ de iure
admonȝ et qr uolunt ꝯtē ḡa uoluntū nō
fit. ꝑ unde ut uꝫ facit hoc colliḡ
hic ergo nō ꝯcipio q̄ nisi interuenit nō
uꝯ ꝯs ubi ꝯtractū sit dispensatio facta non
habilitatē nisi dispensans habilitat ꝑ habiles
sꝫ nō ē bō quā habilitatꝯ ē admittā ꝯtē
de ḡa mandā ē gratiā cū sint separata ꝯ
[illegible] quā i fert aliud ff de mino. l. pacisci
similiter [illegible] p̄ habilitaꝫ et [illegible] ꝑmi ꝯsꝯ
et hoc ꝑ po. cū ai fuerit de ele. aud
[illegible] et uꝫ nō permittit et circumspecto ꝯꝫ
ꝯsꝯ nō hoc quodē cū ꝑ ꝯsꝯ ꝑficiatur de
[illegible] cū [illegible] ꝑ sufficiat et ꝑ dicto
dispensando tollit ꝑ predictū ꝑmi ꝯsꝯ et sit
[illegible] nō ob. qr ꝑ ꝯtractū recessit
ꝑ a ꝑ ꝯsꝯ quantūcūqꝫ i habilis fuerit
[illegible] q̄ ꝑ ꝯs nouo ubi nō fieret recessit
a ꝑ ꝑ ꝯtractū dispensatio effectū ꝑ [illegible]
ꝑ [illegible] ꝑ habilitate ꝑmi ꝯsꝯ [illegible] [illegible]
ꝑ ꝑcedente [illegible] de mandato uidetur
[illegible] [illegible] debitū [illegible] [illegible]
[illegible] ꝑ nō [illegible] ꝑ [illegible] ꝑ quo
fit q̄ nō ꝑ [illegible] de [illegible] ꝑ [illegible]
nō ꝑ ꝑ primo de bigā ꝑ ꝑ sit [illegible]
[illegible] ꝑ et barto ubi [illegible] nō ꝑ
hoc ergo credo [illegible] ꝑ [illegible] notarii
[illegible] ꝑ predictū ꝑ [illegible]
[illegible] de [illegible] [illegible]
[illegible] [illegible] ꝑ ꝯtractū mandā
[illegible] et pendente lite ꝑ ꝑ [illegible]
ꝯmerciū carnali ꝑ ꝑ [illegible]
ꝑ [illegible] ꝑ [illegible]
Casꝯ quo re litigiosa
alienari nō ꝑ [illegible] nō ꝑ [illegible]
[illegible] subrogare ꝑ loco illiꝯ q̄ alienā
[illegible] ꝑ ꝑ [illegible] [illegible]
[illegible] ꝑ [illegible] ff de [illegible]
[illegible] ꝑ [illegible] [illegible]
ꝑ ꝑ [illegible] [illegible] legi
ꝑ [illegible] [illegible] alienare ꝑ ꝑ

[illegible] alienātis nō tenerꝫ [illegible]
[illegible] ꝑ [illegible] ꝑ [illegible] ꝑ [illegible]
[illegible] litigiosi et ꝑ alienante et
ꝑ recipientem [illegible] ꝑ [illegible] ꝑ
[illegible] ꝑ [illegible] ꝑ [illegible] ꝑ [illegible]
[illegible] [illegible] ꝑ [illegible] ꝑ [illegible]
ꝑ [illegible] [illegible] ꝑ [illegible]
[illegible] ꝑ [illegible] ꝑ bona [illegible]
ꝑ subrogatū ꝑ loco aliꝯ [illegible]
[illegible] eiusdem ꝑ ꝑ ꝑ [illegible]
ꝑ [illegible] nō ꝑ [illegible] lite pendente
quo [illegible] effectū [illegible] ꝑ [illegible]
[illegible] ꝑ [illegible] ꝑ [illegible] ꝑ [illegible]
ꝑ ꝑ [illegible] [illegible] alienare ꝑ [illegible]
ꝑ [illegible] [illegible] [illegible] de quo
de ut ꝑ ꝑ ꝑ ꝑ ꝑ [illegible]
ꝑ de ꝯsꝯ cū [illegible] [illegible]
ꝑ [illegible] [illegible] [illegible] et
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] ut [illegible] ꝑ [illegible]
[illegible] [illegible] ꝑ [illegible] ꝑ ꝑ [illegible]
ꝑ [illegible] ꝑ [illegible] [illegible]
[illegible] ꝑ [illegible] [illegible]
[illegible] ꝑ [illegible] [illegible]
ꝑ de [illegible] ꝑ [illegible] ꝑ [illegible]
[illegible] de [illegible] ꝑ [illegible] ꝑ [illegible]
[illegible] ꝑ [illegible] ꝑ [illegible] subrogatꝯ
ꝑ ꝑ ꝑ [illegible] [illegible] [illegible]
hoc [illegible] effectū [illegible]
[illegible] [illegible] ꝑ [illegible]
nō ꝑ [illegible] [illegible] et ꝑ ꝑ ꝑ
[illegible] ꝑ [illegible] ꝑ [illegible]
litiget [illegible] ꝑ [illegible] ꝑ [illegible]
de [illegible] credo hoc [illegible] ꝑ litiget.
de iure [illegible] ꝑ [illegible] [illegible] de
iure [illegible] ꝑ ꝑ ꝑ de iure [illegible]
[illegible] cū [illegible] [illegible] ꝑ [illegible]
ꝑ [illegible] [illegible] [illegible]
nō [illegible] [illegible] ꝑ litigant [illegible]
[illegible] ꝑ nō ꝑ ꝑ ꝑ [illegible] ꝑ ut ꝑ
nō [illegible] ꝑ hoc credo [illegible] ꝑ [illegible]
[illegible] ꝑ cū ꝑ arbitrio sint [illegible]
[illegible] [illegible] [illegible] [illegible]

cap. sci
t. hic non e defens pro reuerte solui

pmit hac p primam pdixit ista inuca eum
facit q non [illegible] q petes te admitte te repo-
bilit. apparet q' excipiat ferunte multe
possit depelle ab actu intentata et tempre
decremendi nouum f aducitur litigios
f q' actor non pt depelle ab actu
i choata a bus reo q quo et qn mediis
autp q pet et dix ut lite no gesp c. a'
de. do et gratia certi s' dum e ceru ugti
fre g'ffici cuiusdam sed p dat hoc primus
f pet hof perd g' quey barfu q fuit
dolo puo ro litigiosum alienando
op n agr d bus litigios q alienate
pon. lite f monasterii no alenant in me
ro de actio g' q' monastio no potuit
agi s' dicit pret hof q monasterii re
cepit scienter possessiones quas sciebat
litigiosas co potest q' ca' de indi q v.
de risp pro seque ep m v f. bald
q res translata affirmatur litigio
f fuit a translatione f fefuit i apparte
q' ex trinsece fca fuit translato a monasti
um ut pt i antiq. s' dicit bal ro et
tam. q f transferto fca fuit i fraude
legis q' i telligit de transferto fca
bo fide anglo n i f potes est op
pone de f. emet s de venetis ubi f cond
ne de pecunia tua res no transfert i dominum
te tu i mo i me f cenditur erat duo
plura en i re epta de pecunia pupilli
et de pecunia eccie de pecor. etc. i quit
du et f aliquas est i pecunia militis
f dr q' requitur vera et formalis subro
gatio et stat v. q' sequitur eandem naturam
et e vera et plena qn attenta m'
subrogata et formalis subrogatio
primeva et transfert i eande ptate
i qua erat pendent a termino c. tu
q' res locata erat subiecta venditia
ca' iii q potuit subrogauit res alien
locum pias a' materiale subrogauit quo
ad rem dictorum a' for n' requitur mihi
et mihi n' c vera subrogato et
tunc stat a' qua ut f emo de pecunia
tua re no emo tibi i mo mihi a' no e

no e eadē sat[is] de hac de p[er]icu[lo] ... i
quando ... gl[os]a ii. ¶ Ing[los] in ubi dotar[i]
de dotario ... q[uod] m[a]g[iste]r ambrosi[us] sc[ri]p[si]t
vendit[ur] q[uod] donat[ur] et ubi dotis ...
re litigiosam d[ici]t ... dote et hac favore
matrimonii et ubi transactio dicit aliq[ui]
hac ... transigere cu[m] litigante no[n] e[st]
... i no[n] ... sicut alio transigit ...
no[n] fraudulent[er] et ubi fisco dicit aliq[ui]
hac ... inter ... ignora[n]t[ia]
... ip[s]os ... ignora[n]t[ia] ...
... igno[rantia] ut q[uod] ... ignoravit re[m]
litigiosam ut ... et
ubi ... hac ... litig[iosa] ...
[illegible]

[illegible]

a partu de no petitis a. c. [illegible]
et hoc no [illegible] nisi [illegible]
[illegible] et [illegible] no [illegible]
[illegible] alleg[illegible]
[illegible] libera[illegible]
[illegible]
[illegible]
[illegible] allegat [illegible]
[illegible] cancellam
[illegible] debitore [illegible]
[illegible] debitore [illegible] no sufficiente
[illegible] illud restitutum [illegible]

[illegible]

no mi [illegible]
[illegible] et [illegible]
[illegible]
[illegible] q. i. [illegible]
no [illegible] decimas noualium de [illegible] que [illegible]
[illegible] no erat
[illegible]
et [illegible] monachi [illegible]
[illegible] monachi [illegible]
[illegible] nouallia [illegible]
[illegible] monachi [illegible]
[illegible] de pacto de [illegible]
[illegible]
[illegible] ff de [illegible]
[illegible] ff de pigno [illegible]
depositi [illegible] trebarius [illegible]
[illegible]

[illegible]

lite pendente sup his in petitorio e. c. vi h
opio hic e. verā q supra hec in corpore
intelligi. e. in initio de iure veteri ut dixi
in c. eod. i o ¶ Et quid in quibusdam
re non domum quae quaerens si tulisset dicit
... lite pen ... aliter d. in q illud
... inutilis ... novo iure et ...
... pelli ... in petitorio ¶ Secundo
de actore in d. ... ut in c. ultimo
... de re non ... ¶ Secundo ...
... nominatus ... d. ...
... de privilegio ... in petitorio
... de quo dicit ut in c. ii de ...
... duobus ... de dolo eisdem
... possessor ...
... absolvitur ...
et si non ... absolutus ...
... de actore ...
... ut de re non ...
... ¶ Inglis ... lite pen ...
ut dixi in ... de ...

Coniunctio ... propter
... possessione ...
... propter ... fieri
... propter ...
... propter ...
... non debet ...
... custodie non ...
et de ... communitates de fide
... alius ...
... et ab ... de ...
... monitare ...
... in possessorio ...
... actore ... et ... in possessorio
... ut in c. ...
... et ...
... et ...
... ¶ ... in ... petitorium ...
possessorium ... posse de ...

... generaliter ... non debet ... ¶ ...
... in ...
... et ... fine ...
... propter ...
fit ... passus ...
... modestia de
... fine et c. cum ... de eo ...
in posse ... ¶ ... ab d. ...
[illegible]

quod iudex possit quorumcumque super principali respondere potest facultate agendi ad expensas a partem [illegible] quod non placet michi et hoc quia de petit [illegible] contra ordinem [illegible] quod non potest quia lata non est sententia super expensis quia eo [illegible] missitur expensis lata super expensis si iudex non pronunciavit super expensis et super taxatione [illegible] in pluribus necessario oportet de pronunciatione super principali cessit officium ut l. terminato et l. paulus ff. de re iudicata et

¶ Pariter ne respondere possit quorumcumque expensarum lata sententia super principali [illegible] aliquam ut l. si a se ff. de hered. instit. [illegible] ubi capiunt [illegible] instituti in codicillis quas dedit testator de illis succedendo in testo [illegible] ut l. terminato super alio ista expensis [illegible] ut l. paulus ff. de re iudicata et l. [illegible] fuit quia si iudex quorumcumque respondet taxatione illa taxatio est quasi declaratio expensarum et [illegible] ad expensas [illegible] codicilla ad [illegible] testi [illegible] et ubi [illegible] non est declaratio immo de novo pronunciatio ¶ Concludo ergo quod quorumcumque potest iudex respondere taxatione quia qui declarat nil novum [illegible] ff. de testo l. [illegible] si quorumcumque respondere non potest et [illegible] quia si [illegible] fuit sententia [illegible] postea retractatur in causa appellationis et pronunciatur [illegible] status non [illegible] de [illegible] et hoc [illegible]

In glo. in [illegible] competenti [illegible] difinitive et [illegible] [illegible] ubi [illegible] appellationis [illegible] possessionis [illegible] ad appellationem [illegible] possessione [illegible] proprietatis [illegible] de appellatione [illegible]

non [illegible] de possessione quia appellationis [illegible] ad possessione de ea [illegible] cum [illegible] finita [illegible] mescedatus nisi [illegible] fuisset [illegible] de quo dat ut [illegible] de mutu [illegible] et aut et [illegible] de [illegible] et de [illegible]

¶ In glo. hac [illegible] ut [illegible] de [illegible] ¶ In glo. [illegible] dixerunt Jo. et [illegible] quod iudex [illegible] de appellatione [illegible] de possessione [illegible] [illegible] cognoscere [illegible] ut [illegible] et de [illegible] de appellatione [illegible] et [illegible] de [illegible] super possessione potest agere de appellatione non [illegible] quia [illegible] amplius [illegible] possessorio de [illegible] addit [illegible] [illegible] non [illegible] requirendo [illegible] et qui iudex aut [illegible] et [illegible] de non [illegible] accessorii [illegible] et [illegible] de [illegible]

Cum [illegible] possessione [illegible] fructus [illegible] fructus [illegible] [illegible] et alii [illegible] rei [illegible] [illegible] ubi quo [illegible] agendum ut in appellatione alii dicunt quod agendum [illegible] et [illegible] fructuum [illegible] cum qui [illegible] [illegible] fructuum

In glo. in [illegible]

hoc [illegible] et [illegible] [illegible] et [illegible] et [illegible] et [illegible] [illegible] officium [illegible] non potest agere [illegible] quia est de [illegible] [illegible] fructus [illegible] agere [illegible] et in [illegible] non est [illegible] ut [illegible] detur [illegible]

[illegible]

[illegible]

ne p datur q mediatio tendendi adde hoc. est ubi petit vitari scandalum, vel ubi dic. ne fieret veniant ad arma ut l. equissimum ff. de usufruct. ut c. x. et ii de usu pro. i. addo. ead q ii de solutio. ... fit ut hic fuerit detur vitari ff. de acq pos. l. ... de ... ... ff. de ... ...

... Cas ... ... qui religiosi ... de appel. ... ...

... in iudicis ... ... et inter rogatus ... ...

Ei qui crimine ... ... non credit. ... eos quos ... fuisse criminis suggestores ... ... de crimine et iste non ... ... purgatio ... ...

... ... ad ... ...

Cas qui in ... confessus ... ... narratio ... ... [illegible]

de illo d(icitu)r qu(od) non s(ed) l(ice)t puniatur
ratione s(ed) c(on)fitetur crimine ap(er)te
q(ui)a p(rim)o casu fuit corporale non e(st)
punitio n(ec) d(ebet) puniri et p(re)textu q(uod)
vacatio q(uia) illas possit rep(ar)are s(ed) c(on)
fessione i(n) non p(otes)t revocare s(ed) d(icitu)r q(uod) l(ice)t
q(ui)s nisi p(re)textu erroris s(ed) s(i)
p(ro)baverit l(ice)t multos c(on)fiteatur
advertendo p(ro)cessu l(ite) ordinaria non
puniatur s(ed) ex officio ta(m)q(ua)m de non
tamen l(ice)t puniatur nisi diceres ut
d(icitu)r glo(ssa) q(uod) est possit puniri ubi crimen
c(on)fessum ... nego(tium) ... et
s(ed) hoc triplici ... duo
... fuit c(on)fessus ...

[illegible]

ut p(rim)u(m) s(ed) age q(uod) ... et ... fiteat(ur)
... meu(m) et t(ame)n e(st) liber illa c(on)fe(ssio) non p(re)
iudicat ¶ ... c(on)fitetur ...
restituitur ... et ...
q(uod) c(ontra) ... d(icitu)r ... legi(ti)ma ...
c(ontra) iudicio ... s(ed) ut ... i(n) iudicio
stare non ... fieri ... tollitur ...
... ¶ ...
... glo(ssa) ... de rest(itutione) ... q(uia) l(ice)t non resti
tuatur ad ... s(ed) t(ame)n fuit ...
c(ontra) iudicio restituitur ...
s(ed) curatore ... rest(itutione) ... adult(us)
... curatore ... et ... s(ed) t(ame)n
... restituatur ...
... de ...

[illegible]

q(uod) [illegible] non m(a)g(is) confessio possit revocari
cum q(uod) [illegible] q(uod) alia [illegible] cum [illegible]
vacanda alia cum [illegible] de quo l(oquitu)r hoc
c. p(ri)mo casu in quo confitetur veritate clara(m)
q(ue) [illegible] veritate de certa [illegible] cadit
veritati [illegible] de veritate [illegible] aut confitetur
f(a)c(tu)m tunc aut scienter vel ignoranter [illegible] tunc vel
confitetur adversarius scienti f(a)c(tu)m et tunc illa
[illegible] non decipitur [illegible]
decipit [illegible] confitenti ff. de [illegible]
[illegible] et tu videas
[illegible] possides et ego scio te non possidere non [illegible]
te possidere [illegible] tibi confiteri [illegible] ignoranter tunc [illegible]
[illegible] potest revocari nisi [illegible]
[illegible] ignorantie q(ui)a non revocabitur ff.
de [illegible] et l. de [illegible]
[illegible] adversarii [illegible] petitur [illegible]
[illegible] ff. de [illegible]
[illegible] in prin(cipio) [illegible]
[illegible] ut l. qui [illegible]
confitetur ignoranter f(a)c(tu)m tunc [illegible]
potest revocari a sciente confitente f(a)c(tu)m multo magis
ab ignorante [illegible] distingue vel non [illegible]
[illegible] erroris [illegible]
fuit [illegible] culpa et non potest revocare
ff. de [illegible] q(ui) iusto [illegible]
et [illegible] non possit revocare [illegible]
[illegible] culpa ut [illegible]
fuit culpa legis tunc [illegible] ad [illegible]
[illegible] de iuris et facti ig(norantia) l. error
et hoc [illegible] restitui
[illegible] ff. de [illegible]
at l. de [illegible] non re-
vocari [illegible] nisi [illegible] restitutionis [illegible]
l. [illegible] ff. ad velleianum [illegible] error
qui reddit [illegible] ff. de [illegible]
l. [illegible] errore [illegible]
[illegible] alia confitetur quod cum [illegible]
et tunc vel confitetur sciens et [illegible]
ff. de dolo [illegible] et l. [illegible]
ff. [illegible] vel ignoranter et tunc vel [illegible]
[illegible] revocari et clarum [illegible]
ut l. [illegible] C. de [illegible]
revocari posset et tunc [illegible]
[illegible] et non revocatur ut [illegible]
[illegible] ff. de confessis l. [illegible]

[illegible] error [illegible] culpa non revocatur
ff. de [illegible] et l. de [illegible] q(ui) iusto
[illegible] tunc revocatur [illegible]
l. error C. de iuris et facti ig(norantia) [illegible]
[illegible] et revocatur [illegible]
potest revocari confessio [illegible] iusta [illegible]
l. [illegible] ff. de [illegible] q(uod) non [illegible]
[illegible] q(ui)a non [illegible]
[illegible] confessionis et hoc [illegible]
[illegible] ad [illegible]
[illegible] fieri [illegible] ut ff. [illegible]
[illegible] confessio [illegible]
[illegible] potest revocari [illegible]
potest revocari q(ui)a confessus [illegible] quarto
C. de confessis l. [illegible]
[illegible] revocatur [illegible] confessus
[illegible] confessione [illegible] quarto [illegible]
[illegible] confessione erronea non [illegible]
[illegible] ff. et [illegible]
[illegible] confessio [illegible] ut illa
[illegible] et [illegible]
q(uod) in confessione [illegible]
nisi [illegible] confessio [illegible] non
[illegible]
[illegible] glo(ssa) de [illegible] de [illegible]
[illegible]
[illegible] ff. de [illegible]
[illegible] et [illegible]
revocari [illegible] restitutionis [illegible] error
[illegible] aliter [illegible]
[illegible] confessus [illegible] sufficit hoc
[illegible] glo(ssa) ff. [illegible] et
ff. [illegible] et l. de [illegible] q(ui) iusto et
l. [illegible] in prin(cipio) ff. de [illegible]
ff. [illegible] non obligatur [illegible] distinguimus
de errore [illegible] ut tunc non sufficit
aut [illegible] alieno et tunc [illegible]
[illegible] confessione
[illegible] alium [illegible] et tunc [illegible]
credo [illegible] sufficiat ff. [illegible]
[illegible] glo(ssa) [illegible] confessio
erronea [illegible] error [illegible]
[illegible] ignorantia
et [illegible] aliter [illegible] error

ff. de p[ro]c. l. fi. et l. si q[ui]s delegaverit ff.
de nova[tionibus] [illegible] i[n] [illegible] [illegible] et tunc [illegible] q[ui]s
[illegible] [illegible] [illegible] [illegible] iudic[ium] et
tunc [illegible] [illegible] de [illegible] [illegible]
alius de lucro captando et tunc [illegible]
[illegible] aliter se h[ab]ere p[otes]t error ff.
de iure et fac[ti] ig[norantia] l. [illegible] nat[ura] [illegible]
l. cu[m] [illegible] debito ff. de p[ro]b[ationibus]. Si aut[em]
no[n] certat de [illegible] [illegible] [illegible] [illegible]
[illegible] cu[m] adversario tunc [illegible] [illegible] no[n]
[illegible] tollerabilis ignora[n]tia ff. ad vell[eianum]
l. [illegible] et [illegible] de [illegible] [illegible] [illegible] aliq[uid]
[illegible] [illegible] [illegible] [illegible] [illegible]
error. Si aut[em] i[n] iudicio [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible] [illegible]
iudic[ium] q[uia] [illegible] [illegible] se h[ab]ere [illegible] [illegible]
ff. de i[n] iure [illegible] l. de etate [illegible] q[ua]m
[illegible] cu[m] glosa [illegible]. Si vero [illegible] de
[illegible] tunc no[n] p[otes]t error [illegible] [illegible]
circu[m]stan[tie] et [illegible] circu[m]stantie [illegible]
[illegible] dolo adversarii [illegible] [illegible] [illegible]
ff. [illegible] [illegible] de [illegible] [illegible] [illegible] l. [illegible]
ff. [illegible] [illegible] l. [illegible] [illegible] [illegible] [illegible]
[illegible] ff. de [illegible] [illegible] l. peregre [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ff. [illegible] l. [illegible]
[illegible] [illegible] [illegible] error iuris [illegible] [illegible]
[illegible] ut iuris [illegible] ff. de adulte[riis] l. [illegible]
ulteriu[s] [illegible] [illegible] [illegible] [illegible] [illegible]
et qualit[er] [illegible] [illegible] [illegible] [illegible] [illegible]
q[uod] minor xxiiij an[n]is p[otes]t [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] ne [illegible]
[illegible] [illegible] [illegible] ff. [illegible] l. no[n] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] error no[n] [illegible] [illegible]
i[n] [illegible] [illegible] [illegible] [illegible] iuris [illegible]
i[n] [illegible] [illegible] [illegible] et [illegible] [illegible] ff.
[illegible] [illegible] de auro et ar[gento] [illegible] l. [illegible] [illegible]
si q[ui]s [illegible] [illegible] aliq[uid] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] q[uia] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
i[n] iure [illegible] [illegible] [illegible] de
errore [illegible] [illegible] [illegible] [illegible]
[illegible] i[n] iudicio [illegible] [illegible] [illegible] [illegible] [illegible]
q[uia] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible]
rigore legis [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] rigo-
re statuti tunc error i[n] iudicialis [illegible]
[illegible] ad [illegible] [illegible] ille q[ui] [illegible]
i[n] iudicio ipso iure [illegible] [illegible] [illegible]
no[n] p[otes]t opus alia [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] sequitur [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] tunc [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] debitu[m]
[illegible] tunc no[n] [illegible] [illegible] ff. de [illegible] l. [illegible]
[illegible] ff. de [illegible] l. [illegible] q[uia] no[n] [illegible]
[illegible] [illegible] no[n] p[otes]t [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] aliq[uid] fieri [illegible] q[uia] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] i[n] iudicio [illegible] [illegible] [illegible] quis
[illegible] modu[m] [illegible] et tunc sufficit [illegible]
[illegible] [illegible] iudice [illegible] [illegible] [illegible] [illegible]
[illegible] q[uia] no[n] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] no[n] requiritur solle[m]pnitas ff.
de i[n] [illegible] [illegible] l. [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] requiritur solle[m]pnitas fieri
[illegible] [illegible] iudice [illegible] [illegible] [illegible]
[illegible] et [illegible] tunc pariter [illegible] ff.
de [illegible] et iure l. [illegible] [illegible] [illegible] [illegible]
[illegible] requirit [illegible] cognitio[n]e[m] [illegible] no[n] [illegible]
[illegible] de [illegible] [illegible] de [illegible] l. [illegible]
[illegible] ff. de [illegible] [illegible] et [illegible] l.
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] ut
et [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] aut [illegible] [illegible] modu[m] [illegible]
[illegible] et [illegible] fieri [illegible] q[uia] [illegible] [illegible]
volentes [illegible] [illegible] [illegible] ff. de [illegible]
[illegible] l. no[n] [illegible] ff. de [illegible] [illegible] l.
[illegible] [illegible] aut [illegible] [illegible] tunc i[n] iudic[io]
[illegible] et [illegible] [illegible] [illegible] lex voluit [illegible]
[illegible] ff. de i[n] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
i[n] [illegible] et [illegible] [illegible] [illegible] de
[illegible] [illegible] l. [illegible] no[n] [illegible] [illegible] [illegible]
i[n] quo [illegible] [illegible] [illegible] [illegible] [illegible] no[n]
[illegible] [illegible] ad [illegible] et [illegible]

quedã dicit q̃ si fiat cont̃a . no pro iudice
p modum voluntarie iurisd̃cionis q̃ t̃n si sit
[illegible] iudice q̃ vz cu t̃n
prorog̃ ff. de of [illegible] . l . n [illegible] no
[illegible] que q̃ dant [illegible] et no
[illegible] de [illegible] l . [illegible]
et t̃n no [illegible] prorogata q̃ no sit prorogo
[illegible]
[illegible]
[illegible]

[illegible]

publice [illegible] q̃ [illegible] ab [illegible]
[illegible] non q̃ et [illegible]
i vera cu emanat [illegible] p modu
voluntarie [illegible]
[illegible] q̃ iudex [illegible]
[illegible]
[illegible] q̃ no requirit [illegible]
q̃ olim requirebatur p l . [illegible]
de iud q̃ p iudice [illegible] ab [illegible]
[illegible] absente [illegible]

[illegible]

[illegible]

[illegible]

l. ii. et iii. d(icit) n(on) interest petentis
ex alius homines est et tunc d(icit) v(er)us petit
ab actore et tunc dr(ictum) q(uod) sit ut l. iusta
et l. no(n) c(um) nova C. de eden(do) et l.
bl. C. et d(icit) actor quit. an(te)o et tunc
no(n) tenetur ed(ere) nisi sit c(on)prius fiat i(n)
fisco ut l. ii. q(ue)s ff de eden(do) et c.
q(ue)libet cu(m) vero et sit eo(n)dem etc.
sunt eius s(ed) q(ui) et c(on)tra h(abe)r(et) s(ed)
petitur ab illo q(ui) c(on)ficit vice publici offici
et vis q(uod) i(n) instrumentis eum sit q(ui)libet i(n)
argentarius g(ene)r(aliter) i(n) alius q(ue) h(ab)et a(d)scr(iptu)s
ac tab. de eu(n)d(em) tunc actor petit an(te)o
sibi ed(ere) i(n)strum(entu)m ad quid i(n) contro(versia) s(un)t
sibi ed(ere) i(n)stru(mentum) et n(on) sit editio ut C. de
fundamento et n(on) sit l. s(ed) C. de revendi
eden l. q(ui) accu(sare) et l. s(ed) C. de revendi
et tunc aut petit ad actor(em) apparentem ad
instruendum ut eo(rum) p(er)tinet s(cri)ptu(m) n(on) s(i)c
fundus n(on) tu(n)c potest co(n)tra petitis
cum debs edi ut l. ex(ce)ptio et l. creditor ff
de ac. ex. et l. q(ui) g(e)n(er)al(ite)r q(uod) eu(m) vel et
l. p(ro)p(r)ius q(uod) ex(ce)ptio ff. de l. iii. et petit actor
ad fundamentum replicationis sue et debet edi
ff ad l. fal. l. q(ui) s(ed) et ut c(on)tra dicitur
dicit p(ro)p(ri)e exhibe(n)di(s) instrumenti(s) c(o)rpora
ubi edendu(m) i(n)stru(mentu)m i(n)stru(mentu)m c(on)tra c(on)p(ar)ata
h(ab)et d(icit) n(on) c(on)tra i(n)stru(mentu)m. S(ed) aut v(er)u(m)
petit ab actore ad sua(m) exceptione(m) s(cilicet)
tantum tunc debet edi C. de eden. l. s(ed)
C. de q(ui)d ex lege l. d(e) soluti(s) ff. de di(vi)si
l. q(ui) tabulas q(ui)d. v. in q(ui)d p(ro)p(ri)e ab actore
ut in edendi i(n)stru(mentu)m co(n)tractu(m) ut p(ro)b(atur)
exceptio q(uod) a(ut) actor an(te)o a(d)s(er)t(i)o(n)e(m)
de replicando. C(asus) q(uo)d q(uan)do q(ui)d i(n)
stru(mentu)m cu(m) vide(n)t i(n) q(uo) illa q(ue) p(er)tinet
ex aliquo negotio eo(rum) ut i(n)stru(mentu)m h(ered)ita
ria ut l. si quis cautio(n)es ff. falsi h(er)ed(itari)e
s(i)c vel tutori al(ias) p(ro)curator(i) al(ias) universalis
vel ibi(dem) et ipsa tutela sunt. hic i(n) eden.
et i(n)stru(mentu)m h(ered)itaria sunt inter coh(ere)
des h(abe)t et c(on)ficiendi et dic(itu)r cu(m) q(ui)
ex eo n(on) negocio obiut(us) ut h(ered)itaria
vel alia coram ubi vice sui negocij de
quo agitur i(n) q(uo) universaliu(m) al(ias) p(er)tin(ent)
ut p(ro)b(atur) ad negocia(n)d(um) uti(liter) s(ed)
b(en)e i(n) quo co(n)tinetur recipit et c(on)ficit
p(ro) ff. de eden. l. i. (et) i(n) vo(ci)s et l. p(re)ter

vel vice q(ui) p(ro)p(ri)e expeditis q(uod) publica c(on)tra
tabellio de p(ro)d(ucti)o i(n)stru(mentu)m c(um) p(ro)t(oco)l(um) vel censu(m)
libri c(on)p(ar)atu(m) ff. de eden. l. argentarius
et q(ui) de p(ro)p(ri)e adquisita et talis deb(et)
edi et q(uo)d s(i)c n(on) aut dicitur co(n)tra sc(ri)pt(u)m
q(ui) c(on)tra sc(ri)bere q(ui)d affecta ut i(n)strum(entu)m
c(on)t(r)a ei(us) q(ui) b(e)n(e) c(um) c(on)tra v(o)l(un)tate(m) h(ab)ebat
ad tabellione(m) q(ui) l(itte)ra(s) tunc ed(ere) de
p(ro)d(ucti)o i(n)stru(mentu)m c. p(ro)t(ocol)l(um) ff. de eden. l. p(re)ter
hoc q(ui) illa n(on) sit c(on)tra c(on)tra a(d)
duob(us) h(ab)entib(us) q(ui) t(ame)n p(ro)thocollu(m) sit c(on)tra
t(ame)n s(ed) alter fecit exemplari illud excepta
tu(m) c(um) p(ro)p(ri)u(m) illi(us) q(ui) fecit exemplari. C(asus)
h(oc) q(ui) s(i)c de litigantib(us) fecit exemplari
o(mn)is acta(rum) magis tunc ed(ere)/alteri dicit
alij q(ui) n(on) q(ue) ex(em)pl(ar) c. p(ro)p(ri)u(m) p(ro) t(em)p(u)s q(uo)d m(odo)
debet publice impensa cum ut p(ro)p(ri)u(m) originalia
sit p(ro)d(ucti)a et adiq(ua) n(on) h(ab)et requiram
C(asus) q(ui)t q(uo)d actor petent(e) p(ro)dat q(uod) s(ed)
sit i(n) med(io) m(odo) p(ro)ducta petitur ex officio
mercenarius de p(ro)mitti actori de quo licet p(rius)
d(icitu)r i(n) di. c. m. ut petitur legitis ar
cau(sis) ut p(ro)p(ri)u(m) mandati et publicis p(ro)bat(ur)

Cas(us) actor q(ui) p(ro)p(ri)e p(rim)us

n(on) debet c(on)pelli in anno p(rim)o p(ro) c(on)p(ar)(atio)nes
narratio i(n) q(ua) i(n) p(ri)ncip(i)o ubi n(on) cu(m) tunc
et h(ab)e(n)t de q(ui) p(ro)d(ucti)o c(on)p(ar)o laudabilis
c(on)p(ar)ata ira(m) magis u(bi) v(er)o(ru)m excepta
da(ta) q(uod) s(ed) p(ro)p(ri)u(m) t(ame)n dic(itu)r ad plena(m) p(ro)d
fac(ien)d(am) et h(ab)et r(e)q(uirit)ur c(on)p(ar)(atio) q(uod) c(on)p(ar)ebat
q(ui)d ut(ilite)r s(ed) ed(ere) q(ui) d(icit) q(uod) s(ed) t(ame)n c(on)tra et s(ed) v(o)l(unta)s
de(bet) p(ro)cedere l. de u(bi) m(odo) q(ui) tunc d(i)c(itu)r
n(on) curri ad m(odu)m q(uo)d alie p(ro)b(ati)o(n)es d(e)
fiant. C(asus) n(on) q(uod) supplicat(io) sit n(on) rescindi
ut e(st) i(n) p(ro)b(ati)o(ne) s(ed) q(ui) de forma alias
p(ro)bationi ad una(m) n(on) recurri(tur) ut
v(er)um allegatis d(icit) p(ri)ma glo(sa). C(asus) s(ed) tali(ter) i(n)
c(on)p(ar)(atio)ne q(ui) p(er)tinet l. in t(em)p(or)e colliget h(oc) d(icitu)r
q(ui) sit post s(ecun)d(u)m p(ro)p(ri)e q(uod) i(n) p(ro)p(ri)u(m) n(on)
c(um) tacite q(ui) q(ue) o(mn)i(um) vel maiores p(ro)p(ri)e
et h(ab)et p(er)petuo i(n) criminib(us) ubi c(on)tinue
c(um) agendi. C(asus) ego n(on) c(on)cipio i(st)i
d(icitu)r de c(on)p(ar)(atio)ne et statuta s(ed) i(n) s(ta)
tuto c(um) q(ui) d(icit) o(mn)i(um) i(n) qui(bus) leges dic(unt)
h(ab)et liberam p(ro)b(ati)o(ne)m cu(m) publicas p(er)s(onas)
et c(on)tra leges c(on)tineri(tur) C. de legib(us)
l. s(ed) q(uo)d v(er)o i(n) statuto i(n) exp(re)ssus

qff. [illegible] peritie legis [illegible] et
[illegible] oim [illegible] solus
[illegible] qff. fortis aut opatur [illegible]
[illegible] de pcurs qui ad agendu [illegible]
et ff [illegible] et [illegible]
[illegible] tn unic [illegible] statutu fieri
[illegible] lege [illegible] et [illegible]
[illegible] et [illegible] de [illegible]
[illegible] ff. de iusti. [illegible]
[illegible] partu [illegible]
[illegible] solo [illegible]
[illegible] no [illegible] no
debz restringi facultate [illegible]
[illegible] ad [illegible]
debz [illegible] de [illegible] forte
[illegible] no [illegible]
[illegible] et [illegible]
[illegible] de [illegible]
[illegible] et [illegible] de [illegible] ad [illegible]
[illegible] et [illegible]
tu [illegible] no valeat [illegible] nisi [illegible]
[illegible] de [illegible] libz [illegible]

Cap. [illegible] iudices [illegible]

actor et reus et [illegible] reus ab
[illegible] actor [illegible]
[illegible] no [illegible]
[illegible]
[illegible]
et [illegible]
[illegible] no [illegible] iudici [illegible] de testi
[illegible] et ff de [illegible] libertate
[illegible] liber [illegible] ut
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] nor
[illegible] ut reus [illegible] actor
[illegible]
[illegible] actor et reus [illegible]
[illegible]
[illegible] actores [illegible]
[illegible] no [illegible]
[illegible] de [illegible]
[illegible]
[illegible] no [illegible]
[illegible]
[illegible] no [illegible]
[illegible] no [illegible]
[illegible] no [illegible]
[illegible] ut [illegible]

[illegible] no [illegible]
no [illegible] possideret [illegible]
[illegible] ad [illegible] actoris [illegible]
[illegible] et [illegible]
[illegible] no [illegible] ut [illegible]
[illegible]
[illegible] et no [illegible]
[illegible] et [illegible]
[illegible] de [illegible]
[illegible] no agit [illegible] no
[illegible]
[illegible] no [illegible]
[illegible] agatur [illegible] agit
[illegible] no
[illegible]
[illegible] agit [illegible]
[illegible]
[illegible] circumstanciis
officiis et accionibz et [illegible] no [illegible]
[illegible] ut [illegible]
[illegible] ut [illegible] ff de [illegible]
[illegible] officiis
[illegible] officia
[illegible]
[illegible] et [illegible] ut [illegible]
allegatis [illegible]
[illegible] de [illegible]
[illegible]
delictu [illegible] no et [illegible]
[illegible] ad absoluendu [illegible] de
[illegible] et ignorantiam de [illegible]
et [illegible] de delicto [illegible] et
de [illegible]
[illegible] ad [illegible]
[illegible] ut [illegible]
ut [illegible]

Cap. [illegible]

testiom [illegible]
[illegible]
[illegible] de [illegible]
et [illegible] et
[illegible] credendi
testimonio [illegible]
[illegible] no [illegible] de
quo no [illegible]
[illegible]

Dixi de di q[uia] tu[n]c capud e[st] mulieris vbi u-
ci habebatur sibi credendu[m] ingrum ro
redditur i[n] l[ibr]o q[ui] testio[rum] plim ff ... ho[c]
plena p[ro]bac[i]o p[ro]ferri supplemu[m] . s. de iusp
insp c. si ... de quo erat qo sit
duci q[uo]d mihi ... sci i cognitam n[on]
negabit n[on]d[um] de quib[us] q[ue]nq[ue] ex quib[us]
q[uia] volebat religione[m] ingredi vel p[ro]p[ter]
... c. vlt. de p[ro]bo quum dico ...
q[uia] ... p[ro] no[n] e[st] sufficiens ad separat[i]o[n]e[m]
matrimonij ... de
... de frigi[dis] ... c. ...

Cas[us] p[ro] textu ... sigillum

i[n] ... quo ad termos c. ... co[n]tra do
in ubi ... sigillat[i]o ... sigillaui alienis
et ... n[on] ... nisi ... c.
... de ... et n[on] alia ... forte
... illam ... vel ...
... et exp[ositi]o ... s. ...
... furtiuu[m] ... furtiue ... sigillaui[t] ...
... voluntate ... q[uod] no[n] ... ...
credi sigillo de quo ... ...
... q[ue]relas ... testes ...
... ut s. de testi ... et c.
... ad tollendu[m] fide[m]
sigilli sufficit ... ...
... exceptione[m] ... ...
... negatiua ... ...
... ... de
... ... xi. q. iij. ...
... ... credi sigillo
... ... sigilli ... ...
sit ... sigillu[m] ... sic
... ... credit[ur] ... cu[m] aliis
... ...
... de sigillo
... ...
... ... aliena ...
... ... sigillo ...
... ymago ... de ... in p[ri]ncipio
... ... et ... de
... ... ff. de testa. l. ad testa.
... ...
no[n] e[st] ... sigillacio
vel ... ff. de
... vel ... fidem

... no. de p[re]sump. c. v. et ... sigillu[m]
sigillu[m] fide[m] ... scriptu[m] cui additur
s. g. n[ull]i et ... aut ... Alibi
loquit[ur] de sigillo arbitri et eius sigillo non
credit[ur] ... de arbi. l. ... i[n] arbitris ...
... arbiter ff.
de arbi. l. ... et ... tenet
Alibi loquit[ur] de sigillo delegati et tu[n]c
... c. v. de ... ...
... credatur ... relacioe ...
... ... relacioe creditur
... iudicialis no[n] credit[ur] ...
... ... ut s. c. ... de
... ... aut
... ... c. ... officij credit[ur]
ut ... ... et tu[n]c credit[ur]
de loquit[ur] de sigillo ordinarij et tu[n]c credit[ur]
et no[n] credit[ur] ut ... ...
... An aute[m] sigillans debeat ...
... sigillo ... ...
de ... i[n]ue[n]it ... ...
... de ... sufficere ...
... sigillu[m]
... ... sigillu[m]
... de ...
i[n] ... ... de ...
... de ...
... ...
... ...
... ...
... sigilli ...
... sigillaui[t] ... et ...
... ...
... ...
... ... sigillo
... ... sigillo alieno ...
... ...
... ... sigilli
... ...
... de ... et ...
... ... sufficit ...
... sigilli ...
... ... de arbi.
... ... de testa. l.
... de sigillo ...
... ... aduersarios
... ...

ilium enervatis [illegible] in no[n] d[ebet] quis i[n] c[ert]o obligari de pr[e]stitis c[um] uno li[bello] et c[on]s[equenter] d[ebet] ut que duas [illegible] si alternatiue [illegible] ad eu[n]de[m] effe[ctum] et [illegible] effectu[m] [illegible] alternatiue et d[ebet] admitti ut fit cu[m] petit alter[natiue] [illegible] furtum adulterium [illegible] p[ro]pellitur [illegible] no[n] vagatur in in certa [illegible] q[uod] ducu[n]t effe[ctum] et tunc [illegible] alternatiue petendi [illegible] d[e] lege [illegible] tunc d[ebet] admitti [illegible] plus petendi [illegible] de plus pet[itione] c[um] uno [illegible] si alternatiue [illegible] purgat[ur] [illegible] et c[um] admitti et c[um] [illegible] de [illegible] et [illegible] q[uod] si fuit deceptus [illegible] possit agere alternatiue uel q[uod] [illegible] tur [illegible] uel q[uod] [illegible] si aut[em] obligatio no[n] i[n] alter[natiua] et tunc [illegible] uni i[n] e[st] alteri et tunc admit[t]itur [illegible] dicto et ibi [illegible] si aut[em] [illegible] no[n] i[n] e[st] alteri tunc [illegible] ad diuersos effe[ctus] et [illegible] et admit[t]itur [illegible] ad eu[n]de[m] effe[ctum] et tunc [illegible] q[uod] alternatiua no[n] admittitur [illegible] si aut[em] [illegible] tunc d[ebet] eligere [illegible] heredi q[uod] elige[re] [illegible] de i[n] [illegible] q[uod] [illegible] purgat[ur] [illegible] alternatiue [illegible] si [illegible] alternatiue [illegible] petendo [illegible] de [illegible] no[n] q[uod] [illegible] de [illegible] de testi[bus] reynaldus [illegible] no[n] [illegible] et [illegible] reynaldus [illegible] q[uod] aut[em] [illegible] ut [illegible] aut [illegible] in iudicio agitur [illegible] no[n] [illegible] et [illegible] no[n] c[um] iudicium [illegible] in iudicio agitur [illegible] q[uod] alia due actiones [illegible] q[uod] [illegible] ordinatoria [illegible] et tunc [illegible] ut [illegible] no[n] [illegible] p[er] [illegible] et si [illegible] petito [illegible] legata et si [illegible] pena

ut c[um] reynaldus [illegible] no[n] [illegible] [illegible] et [illegible] et tunc [illegible] si i[n] [illegible] ut [illegible] no de [illegible] i[n] [illegible]

[illegible] glo[ssa] hoc intendit

[illegible] i[n] ca[usa] matrimoniali [illegible] testes [illegible] no[n] possunt et [illegible] testium [illegible] testis [illegible] admitti no[n] d[ebet] [illegible] traducere [illegible] ut [illegible] de [illegible] quarto uel [illegible] et [illegible] testes [illegible] [illegible] testes [illegible] et [illegible] matrimoniali [illegible] testes [illegible] ut [illegible] de testi[bus] [illegible] et c[um] [illegible] alii dicunt q[uod] [illegible] no[n] debent audiri q[uod] [illegible] [illegible] alii dicunt et [illegible] testes [illegible] alii dicunt q[uod] [illegible] testis [illegible] et [illegible] i[n] [illegible] no[n] [illegible] q[uod] [illegible] no[n] fuit [illegible] ut [illegible] testes i[n] glo[ssa] [illegible] de testi[bus] [illegible]

[illegible] de [illegible] matrimonio [illegible] uel q[uod] [illegible] ordinarii [illegible] [illegible] maiori [illegible] ordinarii

probare contra quod repellitur exceptio ab officio procuratorio contra quod probatum repellitur et bene
supra proxime dicto quod probare veritate vi quam in eius fine
prima ff. de re iu. eius l. res inter alios quia
veritas non potest repelli tamen de veritate
quaerendum est ergo veritati contra
veritas non repellitur quia tamen mendacium
veritas non repelli veritate contra veritatem
quia vel ubi est quod hic veritas contra
non repelletur quantum ad principalem effectum
non repellitur potest quantum ad effectum qui inter
partes actor vel reus et rei istius quantum
exceptio propter quas excluditur actor
et potest quantum ad effectum veritas repellitur
et in alterius casibus et oneris probandi
non repellitur in officio procuratoris in talibus
dubiis exceptio repellit officium procuratoris et tale
C. de decurio l. si postquam ergo sequitur
tales in actis legitimis et criminibus
a quibus actibus repellitur excommunicatus de except.
quia licet et de pen. ex. cum l. et hic
in excommunicatus sed si sit publicus
officiis sit tollerentur ff. de exceptione l.
vel de quibus dictis et dicimus
ut dicitur et quod veritas est dicit
ut de ve. et quam veritatis publicae non
aliquam hic loquitur de publico
occulto quia dici publice et aliquam agere
et actores nisi excipiatur ff. alios esse
in capitulo officii enim distinguitur
inter publicum et occultum et alios
capax ut agendum sic non ut sit
in non sit nisi apparet exceptione
ut dictum est ut in c. quia ubi
exceptione prima et tertia non debet
distinguitur inter occultum et publicum
exceptio in capitulo ut sit publicus
non valet agendum et si modo
requiratur l. de re iudicata quod dicit
erat occultus tunc si exceptionis probabat
ad hoc non valent agenti ut ei factum
non valeret agere actor publici
officii ut in quibus et hic videlicet quod
de re ab excommunicato ut in tamen quando excommunicatus
sit ex iudicio quod et primum quod
ab excommunicato quod pendente quod agendum est et tamen
valeret et sit quia ante oritur
exceptio ... nihil recipit

quod ut statutis dicit in hoc subscriptio sit
et ipsum quia non dicit quod non est nisi habet
in instrumento ut prius dictum liberis
pertinet illi quod novarum tunc de quo tamen
et et ut lapidum canalis ...
scilicet et non credendum ordinarie quod
quando quod sit sit ... placuit quod non est
scriptum ... licet quod fuerit
opinionis de quibus in glossa ... fuit hugo ...
sit quod statutum ... eius sigillatur
sigillo ipsius solent ... sit testibus quia stetatur
tabellionis de fide instrumenti c. i.
et contra quod et licet quod mutare sunt
contra recipit episcopus et ... quod tabellio
non per creationem ... quia eligitur episcopi motu
non auctoritate quod tabellionis ... episcopus est
publicum ... quod scripturae ... fidem
in quo ad ... cum ...
non est et ... publicum ...
et hoc si fuerint sigillata sigillo suo
... l. 4 · 2 · ii C. de curio ... C. de
... ff. de testamentis l. ... non de
... ut ... vel ... xxiiij.
ad. c. quam ... tabellionis
confecto ... publicum vel duos
... non confecto vel dicitur ...
non aut ... sigillatas ...
ut ab ... dicatur quod ... sit fortior
... mortuus quod hic ... plus ...
de ... et ... cum ...
... tabellionis non credit
... non quod ... de vin.
... officium tabellionis ... non sunt
... auctoritate ... scripturae
... alii ... auctoritatem
... ut ... de re et non alias
ff. de aut. cum ... pupillus ... de ...
de ... fratrum ...
... geminetur et ... producere
et ... de quibus ...
cum ... testibus ... tabellio
de ... nisi
... ut ... sit ... in ...
ut ... valeat ... undecim ...
... valet ... nomine

i. tractatu C. de do. l. i. in Decretalibus
de fi. instrumentorum c. i. in fine et c. cum in
mo q. q. licet de litteris quibus subscriptiones
testium non inveniuntur cum scriptura de
factis in mortuis testibus et videtur quod non nisi
per manum publicam sit confectum quod supponit
testes in scriptura fuisse. Sunt alia atque
loquuntur in casibus specialibus sed quod illa opinio
non valet quod credo quia non stat scriptura
tabellionis nisi cum subscriptione testium
et ipsum in miraculum quod pellis animalis
mortui faciunt fidem. De fide instrumentorum cum
per tabellionem et ubi not. supra et quod hoc
tabellio autenticus facit ipse a principe
et in ducatu et non procedunt quoniam
non et de. in epistola quia illa non est quoniam
autenticum hoc quod officium suum publice alia
generaliter est et alia non dicit quod
litteris scriptis de manu tabellionis sta-
tur et si fuerit facta ut patet ficta
quod sit contra litteras sed hoc non sit nisi in
sigillo quod possit subscribi vel aliud per
obligari sed manus tabellionis possit sub
scribi vel firmari. Alia sunt opus sed
de quo in glossa et fuit liber Gyffardi qui
dicit litteras ordinarii non credi et ut
dixi in c. cum dicat C. de cau. fiat cum sit
in quo est dicit C. de cau. fiat cum sit
... a actis per tabellionem C. de
do. l. i. dicitur de fide instrumentorum a toto
... vel liber sunt testium sive subscriptio.
... q. in q. sit hoc in aut et sunt
opinionis scriptura in tribus casibus in quibus
credit. Primo liber episcopi sunt sigillo eius
per capitulum in presenti ... quam et in ... debet
... vel quod apparet sigillum publicum
prelatorum vel cum ... delegat
... per ... litteras ... et ... fame
quod scriptura ... quod dicit ...
de ... loquitur de ...
effectuali ... publice fieret fides
quando ... locus quo in ducatu
in quando quod fiunt carte non tabellio-
nis de fide instrumentorum cum ... non
fuisset quando non valent ... quod opus
... duxisti et ... illi
duxisti non creditur nisi ...

... acta producta in publico ... et
testium subscriptione ... ordinarii per
beneficium creditur dicit per cum vel contra
eo per ... dominum in ... quod per ... bene
ut ... quod per dominum ...
¶ Alia in opus ... et ... quod ...
ad acta iudicaria non stant dicta
ordinarii non sit subscriptio testium testis
... de testibus ... in ...
... credi ... quod certum et ... de
... et ... et ... eos
in ... dominum in ...
... hoc dicit ... illud intelligi
de solo ... in sit ...
sigillatis ... per ... ubi testes
requiruntur tabellionem vel duos testes
autenticos per dominum glossa ... stans
dominum hoc ... aut dicit ...
in tabell. ... et ...
... non ...
... de ... quod ...
... de ...
... dicit quod ... testimonialiter
... quod ad ... ipsis ... indici
quod ... sit ... non stant in quo
testes ... sint ... credi
... hoc ... per ... de ...
... non credi ...
... sit ... de fide instrumentorum
... de ... et ...
et de sigillo ... et officialium ...
principum et aliorum ... impedimentorum
... de ... in negotiis
alienis ... per ... quod
sit ... et dicit hoc ...
... de fide instrumentorum ... ¶ In ... ubi
in principio ... glossa ... dicit quod scriptura
autentica dicitur ... sigillo autentico ...
testium subscriptione et non fecit fidem
nisi ... in ... non ...
... ut ... quod ... cum
... nobilium ... de ... hoc
dicit quod aliqui ... sunt ...
quod in ... aliquibus requiruntur ...
sigilla de ... quod ...
aut creditur ... litteris in ...
prelatorum in ... stare ...
non ... determinatum ... quam

cum dictis de subiecta cum contingat ad
firmandum depositi et licitare sunt quod legantur
in confirmatione apponere premissorum rationis de usura
c. v. in fine auctoritate glossa dicit quod credatur
his cum fit quasi publicari in quibus quod committitur
ad suum officium ut sunt archiepiscopus vel
puissima generaliter ad gerendum vel ad aliud
consuetum dicit. Alii dicunt quod si apparet tam
quam [illegible] cum delatione hoc
corpus confirmationis. [illegible] probatur ei
probabitur quod motum quod videlicet ei
in c. quod sit supra officium in cum professione per
quod ubi manus publicam ubi creditur agere
quod dicitur in c. [illegible] Alii dicunt quod sit
ut fidem super plenam fidem facientibus ad
officium suum et plenam probam ut in talibus
officiis et confirmationis et publicis quod non
hic fuerit et confirmationem plenam fidem faciant
sicut in contractibus et publicis. ¶ Alia fuit opinio quod videtur
super hoc in c. de fide instrumentorum c. ii quod hec respondit
[illegible] non probant quod intelligitur sunt [illegible]
his non probant quod [illegible] aliquid
primis de [illegible] sunt [illegible] aliquid
quia est [illegible] ut [illegible] hec
probant sed [illegible] de facto ipso ut [illegible]
[illegible] de privilegio
[illegible] contra
[illegible] ut [illegible] quod
[illegible] probant. Alii dicunt quod
[illegible] credere nisi [illegible]
confirmationis apponere premissorum rationis ut [illegible]
[illegible] non [illegible]
ut in [illegible] de
[illegible] de
[illegible] non valent
[illegible]
[illegible] non probant
[illegible] arguere sit
[illegible] probari
[illegible] probandum [illegible] non datur
[illegible] probandum [illegible]
[illegible] datur [illegible]
[illegible] datur [illegible] testes
probant vel instrumentum [illegible] probabile
[illegible] ita probabit [illegible] nisi
lex aliter [illegible] ut in testamento [illegible]
[illegible] quod [illegible] reputatur [illegible]
narrative reputatur dispositive [illegible] et
respondentes [illegible] de dispositionibus
[illegible] de his [illegible] actu [illegible]
aliquid [illegible] vel [illegible]

[illegible] actu plene [illegible] ad officium [illegible]
[illegible] non [illegible]
dispositionis quod modo [illegible] auctorizandi
et super his [illegible] ut [illegible]
[illegible] in c. ii de fide instrumentorum et
[illegible] de absolute narratoriis dicit
quod [illegible] narratoriis actis alieni ut [illegible]
[illegible] contractu aliorum et credo quod [illegible]
probant quod inter [illegible] probationem [illegible]
instrumentorum [illegible] miraculosa ut dicit
de fide instrumentorum cum [illegible] tabellio hec mirabilem
[illegible] a principe qui tabellioni [illegible]
auctoritatem concessit quod non concessit [illegible] non
[illegible] quod [illegible]
aliud disponit [illegible] de fide instrumentorum cum
[illegible] credo [illegible]
[illegible] narrat quod [illegible] ut dixi
[illegible] disponit ¶ de
[illegible] ad dispositionis ut
narratoriis [illegible] ad dispositiones ut
quod narrat [illegible]
et [illegible] vel narrat se
[illegible] et [illegible]
[illegible] aliquid aut narrat
[illegible] aliquid fecisse et [illegible]
aliquid [illegible] se et non [illegible]
[illegible]
[illegible] quo [illegible]
[illegible] Ego credo quod [illegible]
[illegible] narratum non probant [illegible]
[illegible] et [illegible] actu aliter
[illegible] in c. [illegible]
[illegible] in confirmatione apponere premissorum
rationis [illegible] quibus [illegible]
datur [illegible] actu credere
[illegible] et
[illegible] ad ordines
[illegible] ut [illegible] ad ordines
et de istis non dicitis [illegible] plene probant
[illegible] de quibus [illegible]
[illegible] de [illegible]
et [illegible]
[illegible] aliud [illegible]
de [illegible] credatur de
[illegible] de [illegible]
[illegible] de [illegible]
[illegible] de [illegible] attendens
de fide instrumentorum [illegible] de [illegible] de
[illegible] et [illegible] et de [illegible]
[illegible] de [illegible]

d. q bius lr̃e nõ credatur prõs p sunt
[illegible]
[illegible] in spe de rescript. in prĩ. d. q qui
cu ad rescriptionem [illegible] ad
alia [illegible] q [illegible] rescriptione forum
nõ aut acta alia et [illegible]
[illegible] appos. i lr̃e [illegible]
timore [illegible] [illegible] fori. nõ
dati credetur remittenti q̃ [illegible]
nõ [illegible] lr̃e ordinariorum multo mĩ
delegatorum et multo mĩ [illegible] lr̃e
arbitrorum qui nõ sunt iudices [illegible]
[illegible] de arbi [illegible]
[illegible] de his [illegible]
dic q ille [illegible]
[illegible]
[illegible] tpe constitutionis erat [illegible]
[illegible] recepti mandati erat absolutus
[illegible]
[illegible] de [illegible]
[illegible] certe [illegible]
tpe constitutionis [illegible] tpe absolutionis [illegible]
receptionis nõ erat [illegible] tpe [illegible]
[illegible]
[illegible] repelletur ab agendo [illegible] exceptionis
[illegible]
[illegible] et iudicio
et nõ [illegible] exceptionem valeret
[illegible]
[illegible]
[illegible] et sic nõ valent acta
[illegible]
acta cu eo de [illegible] et [illegible]
[illegible] ut [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] de [illegible]
defendente [illegible] et alii [illegible]
[illegible] de [illegible]
[illegible] forte terminaretur [illegible]
quedam forte [illegible] et [illegible]
elegit [illegible] et forte constituerit [illegible]

[illegible] et alias [illegible] nõ admittetur [illegible] in c. [illegible] et [illegible]
nõ admittetur cu [illegible]
[illegible]
[illegible] Aug. [illegible]
[illegible]
[illegible] mandatum nõ [illegible]
[illegible]
[illegible] ad [illegible]
[illegible] valent
[illegible]
nõ [illegible] nõ [illegible] substituere
[illegible]
[illegible]
[illegible] mandatis de nostro
[illegible]
[illegible] de of. del. [illegible]
[illegible] et [illegible] religiosus de [illegible]
[illegible]
[illegible] nõ [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] substitutione [illegible]
[illegible] nõ potuit [illegible]
[illegible] pubertate et [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible] nõ [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] et
[illegible]
[illegible] pubertate [illegible] nõ [illegible]
[illegible]
et [illegible]
[illegible]
[illegible] ut [illegible]
[illegible] et [illegible]

[illegible] q mosterunt [illegible] bo liberorum
[illegible] q [illegible] — decedit se et [illegible]
[illegible] a [illegible] [illegible] q non [illegible] [illegible]
in me [illegible] [illegible] [illegible] [illegible] q i q
[illegible] [illegible] pubertate [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] q [illegible] [illegible]
in [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] possessione apprehensam [illegible] here
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] q [illegible] [illegible] hereditate alter est
[illegible] [illegible] [illegible] [illegible] ff de acq here
[illegible] herede et apprehendit possessionem [illegible]
[illegible] bonorum [illegible] [illegible] [illegible]
[illegible] possessione bonorum apprehensorum [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] possessione
[illegible] herede [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] bonorum [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] hereditatis [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] hereditatis [illegible]
de here [illegible] [illegible] [illegible] [illegible]
heres [illegible] [illegible] [illegible] [illegible]
[illegible] ff de acq [illegible] [illegible] heredes [illegible]
ad ff ad trebel [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] possessionem [illegible]
[illegible] [illegible] [illegible] [illegible] possessio
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] modus
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] se possidere [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] hereditatis [illegible] [illegible]
[illegible] [illegible] [illegible] ad [illegible]
[illegible] hereditatis et [illegible] alter [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] hereditatis ff de [illegible]
[illegible] [illegible] et [illegible] [illegible] de
[illegible] [illegible] alter [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]

aut [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] se possidere [illegible] [illegible] [illegible]
et [illegible] [illegible] possessio et alter [illegible]
[illegible] [illegible] se possidere [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible] herede
et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] non [illegible] non [illegible] [illegible]
[illegible] [illegible] neuter possidet neuter
[illegible] [illegible] [illegible] [illegible] hereditate
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible]
non erat heres [illegible] plus [illegible] heres [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] possessionem
[illegible] [illegible] [illegible] ff de [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
non erat et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] herede [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] allegata et [illegible] [illegible] [illegible]
[illegible] [illegible] ad supplementum [illegible]
[illegible] [illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible] [illegible]
[illegible] allegata [illegible] [illegible] de [illegible]
[illegible] non [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ff [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] de [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] heredes
[illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] mortuus [illegible] heres [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
ff ad trebel [illegible] [illegible] [illegible]
ff de [illegible] [illegible] ff de [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

Si vivus [illegible] [illegible] [illegible] [illegible]

glo. ulti. ff. de libe. et posth. l. filio et si no ob q illud qr si i testm quo voluerit mo du tn legitie vel p alios i testo i ter vivos disponendo. Alii dicunt q testamentu qfirmatur p morte testatoris [illegible] ipse moritur i [illegible] q [illegible] [illegible] tum et e morti [illegible] e quod pendet habuit tem pe qr monsterum [illegible] filius et verus filius [illegible] quod si i stituatur filius et p. [illegible] [illegible] ut l. aut. si q [illegible] [illegible] [illegible] [illegible]

[illegible] qui si no [illegible] filios [illegible] parentes glo. ibi determinat q no pt i ter eos testari qr filius [illegible] [illegible] [illegible] et [illegible] tenet q possint testari qr monstrius [illegible] loco [illegible] filii qui no [illegible] [illegible] ff. de l. [illegible] [illegible] [illegible] loco filii quo ad illa solu q tractatur [illegible] [illegible] no aut quo ad alia [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] parentes [illegible] pauperes qui no [illegible] [illegible] [illegible] [illegible] pater [illegible] legitimam et si no [illegible] i pugnant testm i quo [illegible] [illegible] [illegible] [illegible] monsterat i aut. de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] glo. et [illegible] ad id q [illegible] de filio [illegible] et [illegible] [illegible] [illegible] ut ff. de pus et legiti. [illegible] [illegible] refert ad l. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] liberis [illegible] [illegible] monstrum [illegible] monstrum [illegible] bona no de volu. [illegible] [illegible] [illegible] hoc no [illegible] [illegible] [illegible] testator i [illegible] [illegible] [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] et qr [illegible] q monsterum [illegible] loco filii [illegible] [illegible] [illegible] [illegible] monstrum [illegible] [illegible] filiu et filius [illegible] [illegible] [illegible] tn monstrum alimenta [illegible] [illegible] [illegible] [illegible] no [illegible] habeant ff. de [illegible] [illegible] l. [illegible] ff. de libe. agnoscen. [illegible] [illegible] libe. [illegible] [illegible] [illegible] testm [illegible] [illegible] [illegible] [illegible] [illegible] testm [illegible] [illegible] [illegible] [illegible] [illegible] testm et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et legitis ff. [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] quid [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ff. de l. [illegible] filio. Alii dicunt ut [illegible] [illegible] q [illegible] [illegible] [illegible] durabit [illegible] [illegible] et [illegible] [illegible] [illegible] ff. de iure [illegible] et [illegible] ff. de [illegible] et [illegible] [illegible] [illegible] q [illegible] et [illegible] [illegible] [illegible] ff. de l. [illegible] et no. ff. de [illegible] [illegible] l. si [illegible] qr illud [illegible] [illegible] [illegible] et [illegible] [illegible] ut [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] qr no [illegible] [illegible] [illegible] monstrum [illegible] filii. glo. [illegible] ff. de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] aut [illegible] monstrum et [illegible] [illegible] [illegible] aut [illegible] [illegible] et [illegible] no [illegible] [illegible] q [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ff. [illegible] de [illegible] [illegible] l. [illegible] lege [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] q monstrum [illegible] [illegible] [illegible] ad [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ut arrogatur ff. de [illegible] [illegible] l. [illegible] [illegible] q [illegible] liber [illegible] [illegible] not. glo. i aut. [illegible] [illegible] Alibi [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] et [illegible] no [illegible] [illegible] ff. de [illegible] [illegible] l. si peculiu [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] l. si peculiu [illegible] [illegible] [illegible] [illegible] [illegible] monstrum [illegible] [illegible] et morte [illegible] ff. [illegible] [illegible] q no qr [illegible] no [illegible] [illegible] [illegible] ad [illegible] [illegible] ff. collegii [illegible] mobilia a mobilia no q no pt [illegible] collegiu [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] si testator substituit si decesserit [illegible] liberis [illegible] [illegible] [illegible] [illegible] [illegible] substitutio [illegible] [illegible] tenet [illegible] et [illegible] de [illegible] q [illegible] [illegible] [illegible] monstrum [illegible] filii et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] quid si [illegible] i stituatur [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] monstrum

possit muniri testium quod fecit dominus in ingres
su sed quod non quia in ingressu fecit sed post mort
ut l. de eo nobis C. de qui et clerici si
post mortem non potest muniri fecit in dubit
si quando mutat C. de sacrosancte ecclesie dicit
si dominus non dispergit quod non potest placa
dispone argumentis agitur ff. sicut quod
quia non est natura mortuus Secundum et dominus
aut si quando mutat habet locum in expresse
sit tantum bo. sunt collecta dicitur quod
ut sic quia in astricte loquitur quod sit in
religionem ff. de ... Item l. et quod
et habet tenet sed ... et ideo Aliis
solum in electa nam in expresso collecte stat
transit dominium omnium bonorum non sic in tradi
ta quam de libere si filius tunc agit quia
ea. in ... de in offi de
ta. in ... collac
si ... quod in ... collac
per ingressu ... successionis
et ... dominium per ... in ... et
ff. de acq. pos. l. cum heredes in ... et
ff. de ... ad ...
possessione ff. de ... l. si ... si ...
... l. sed dicatur quod si ...
habebat ... transferitur in monasterium
dicitur alii quia ... transeunt sunt
et ... et honesta ... transibunt
sicut sunt in honesta vel ...
sed aliud non transibunt nobis ...
in ... quod habebat ...
vel ... transibunt dicit
quod dicit quod sunt ... et monasterium
l. ... ff. de ... et monasterium
... ad ... quando ...
... dicit alii quod ...
... ff. de ...
... quod ...
... in ...
... ff. de ...
... et ... ff. de ...
... dicit quod ...
... monasterium ff. de ...
... et ... non
... non ... quod ...
... ff. ... ff. ... de ...
... superiori

Queritur alii quod in statutis novi monasterii
alii quod ipsum monasterium et ipsum habet
quod ... sunt in monasterium
translata ... monasterium, adiciunt ...
dicto de mendicantibus qui non possunt
habere ... in com. quod ... si deferatur
hereditas. ... alii dicunt quod ...
sunt bona vacantia et possent occupari
alii dicunt quod ... alii dicunt quod
... efficiatur ... monasterium et
... officium et ... et in ... suis
erogetur Alii quod sunt ... vel ...
Alii quod ... ab intestato ...
... ab intestato ... quia moriuntur
quod ... et monasterium
... in ... quod sunt mendicantium
in capitulo ... quod sunt ...
quod ... aliquando ...
... reliquerint et ...
... et ... et ipsam ...
... et dicit quod
... religiosi
... et ...
... et in ...
... de ...
... in ... Anglia ...
... et ...
... quod ...
... de libero
... et alios
... quod non ...
... quod ...
... et ... ad ...
... quod ...
... de liberis si non ...
et ... de liberis non ...
... quod ...
... non ...
... quod non ...
... et ...
... et ...
... et ...
... et nobili ...
... quod ...
... patris et nobilis ...
... quod ...

C ad offitium tamen si quis dicat alii nalis
nascuntur ex contrarioso coniugio ut s. [illegible]
q̄ hab̄ eo liberis de iure cyvili nob̄ [illegible]
[illegible] et filii [illegible] nalles et fruit [illegible]
[illegible] ff de [illegible] ij l. lucius Alii vero
nati ex concubinatu no fuerunt [illegible]
nisi aliud appareat de mente testatoris
[illegible] no [illegible] q no [illegible]
[illegible] de generatib̄ [illegible] quos [illegible]
[illegible] et liberis [illegible] succedere nalles [illegible]
[illegible] alii tenent [illegible] de [illegible]
alii [illegible] ego [illegible]
hoc [illegible] filio nali no [illegible]
cu no [illegible] et hoc [illegible]
[illegible] concessione [illegible] q no [illegible]
tendit [illegible] plures [illegible]
appbat [illegible] de [illegible]
[illegible] cu posteritate sua [illegible]
ad nalles [illegible] explicabit [illegible]
mot [illegible] poderia q fit [illegible]
[illegible] ad [illegible] professione
[illegible] de pubere et in
pubere de quo quero ad professionem [illegible]
[illegible] et adulte
[illegible] no transfert [illegible] curatore [illegible]
[illegible] l. [illegible] curatore et l. ij [illegible]
[illegible] vite [illegible] monasterio
[illegible] q sceri [illegible]
[illegible] vel [illegible] voluntate
[illegible] vel [illegible] sua
meliore bona [illegible] vel [illegible]
castrensia transfert in monasterium [illegible]
de [illegible] no [illegible]
[illegible] et [illegible] alienare mo
[illegible] et
[illegible] liberis [illegible]
d. [illegible] castrensia [illegible]
d. hoc [illegible] libris qui [illegible]
[illegible] vel [illegible] legum [illegible]
[illegible] peculium [illegible] scolaribus no [illegible]
[illegible] tacite [illegible] dubitat
[illegible] etate [illegible] petunt [illegible]
[illegible] minor petit restitui [illegible]
[illegible] libellum [illegible]
[illegible] etate [illegible]
[illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] restituere [illegible]
[illegible] religione [illegible]
[illegible] bonum [illegible]

[illegible] monacho delicta [illegible]
et [illegible] quidam dicunt q no [illegible]
[illegible] monasterio C. de [illegible] l. cu
[illegible] alii dicunt [illegible] filio [illegible]
[illegible] filio C. de [illegible] q
[illegible] no [illegible] monachus [illegible]
[illegible] et monasterium repudiare [illegible]
[illegible] monachi [illegible] hec [illegible]
[illegible] no [illegible] no [illegible]
[illegible] quis [illegible] monasterio [illegible]
[illegible] filios [illegible] bona [illegible]
[illegible] monasterio glo. [illegible]
[illegible] ad [illegible]
[illegible] monasterium [illegible] loco monasterii qui [illegible]
et [illegible] loco
[illegible] C. ad [illegible]
glo. [illegible] no [illegible]
[illegible] no [illegible]
[illegible] et [illegible] vel [illegible]
[illegible] professione [illegible]
[illegible] alii [illegible]
[illegible] tenet [illegible]
[illegible] professione et [illegible]
[illegible] de iure rigorose et [illegible]
[illegible] glo. [illegible]
[illegible] et no [illegible]
[illegible] lex [illegible]
[illegible]
[illegible] vel [illegible]
[illegible] vel [illegible]
de [illegible] fit [illegible] in [illegible]
et [illegible] in [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] testes in [illegible]
[illegible] et [illegible]
legendo [illegible] et de [illegible]
cu [illegible] et [illegible]
[illegible] inter [illegible] et [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] no [illegible]
no debet [illegible] pupillus [illegible]
et [illegible]
[illegible] et [illegible] cu [illegible]
[illegible] no [illegible]
[illegible] testes [illegible]
[illegible] no [illegible] testes [illegible]
[illegible] et [illegible]
quibus [illegible]

deterius sit supplicanti primitur de
quo videtur de et cog c. i. [illegible] decio
quo pla ut i c cum eam dixissent dicat
aliq et adhuc duo probanda expresse
apparuit ut ff. p. f. Ego credo q[uod] si p[ro]
pla nec pot q[ui] excipiens se astringat
ad ambo p[re]d[ic]ta nisi forte [illegible]
[illegible] [illegible] portat [illegible] q. i. q.
percipit et p[ro] hoc c[on]tinetur [illegible]
altero s[ed] [illegible] [illegible] hoc
[illegible] sit [illegible] vel [illegible] in si
c. [illegible] [illegible] certum d[icitu]r q[ue] e c[on]tinetur
hoc d[icitu]r q. q[ui]a de [illegible] [illegible] ff
de diu[er]sis et [illegible] [illegible] l. i. et ij. ff
quando [illegible] sit l. i. q. dec [illegible]
in s[e] [illegible] iudice recipe [illegible] i
[illegible] [illegible] p[ro] [illegible] dec [illegible]
erit parte de fa. c. si [illegible] si [illegible]
recipit [illegible] i p[ri]mo [illegible] ter
[illegible] d[icitu]r q[uod] aut [illegible] adversa [illegible]
ut i [illegible] prorogate [illegible] hoc [illegible] cum
sit [illegible] recipiat testes
ff de fi l. i. q. si [illegible] c. si [illegible]
[illegible] reprobatorij [illegible] non
[illegible] [illegible] termino [illegible] predictum
i [illegible] [illegible] actori [illegible] [illegible] [illegible]
terminus ad [illegible] et [illegible] alter [illegible] q[uod]
[illegible] et [illegible] [illegible] in
dato q[uod] actor [illegible] [illegible]
[illegible] hebat [illegible] ad [illegible]
decebant non q. i. oppositum [illegible] testium
i [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et corrupto [illegible] no
[illegible] [illegible] ff de [illegible] et [illegible]
[illegible] reprobatoriorum producendorum
f. in [illegible] et adiunde q[uod] si [illegible]
a [illegible] [illegible] [illegible] testes [illegible]
[illegible] [illegible] [illegible] vel [illegible]
no [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
p[ro]x[im]o [illegible] et [illegible] [illegible]
copulam q[uod] [illegible] testes ut [illegible]
[illegible] [illegible] i hoc negocio sit de
[illegible] [illegible] [illegible] possessorium [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

datur possessori i quaestio ff [illegible] l. i.
datur et q[uod] non possidenti et p[ro] hoc
[illegible] [illegible] cum [illegible] de ea [illegible]
[illegible] q[uod] [illegible] i corpo[ra]libus datur hoc
i [illegible] [illegible] [illegible] q[uod] [illegible]
[illegible] admittitur [illegible] et [illegible]
de [illegible] [illegible] [illegible] q[uod] [illegible] [illegible]
[illegible] i [illegible] [illegible] [illegible] q[uod] [illegible]
[illegible] [illegible] [illegible] l. de
[illegible] [illegible] [illegible] q[uod] [illegible] [illegible]
[illegible] i [illegible] [illegible] [illegible] q[uod] [illegible]
possessor no q[uod] petit [illegible] [illegible]
[illegible] [illegible] [illegible] f. i. [illegible]
[illegible] [illegible] [illegible] no [illegible]
i p[ri]mo [illegible] possidebat [illegible] possideret
[illegible] ad [illegible] [illegible] [illegible]
[illegible] [illegible] q[uod] [illegible] [illegible] ut [illegible]
[illegible] q[uod] [illegible] no [illegible] [illegible]
[illegible] [illegible] [illegible] hoc non
debere corrumpi [illegible] [illegible] fuerit
[illegible] ad hoc a [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] de [illegible]
p[ost] [illegible] [illegible] testes [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] no de
[illegible] terminus [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] testes reprobationes alter
[illegible] testes [illegible] [illegible]
no [illegible] [illegible] de illo cognoscunt
q[uod] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] no poterit [illegible]
testes reprobatorios [illegible] [illegible]
modum [illegible] [illegible] no [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
hoc [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
q[uod] ad illa duo p[ro]b[an]da se [illegible] [illegible]
[illegible] [illegible] [illegible] narrat [illegible] ad
corruptionem et [illegible] [illegible] sufficiebat
[illegible] [illegible] [illegible] [illegible] et
c. cum eam l. [illegible] [illegible] c. cum eam

de iure celsus hec appare[n]s contra
ponet o[mn]es leges q[ue] exp[re]sse se o[ste]nd[er]
erit s[ed] no[n] appareat i[n] l[ite]ra s[ed] s[u]p[er]
ut ego dicebam i[n] l[ite]ra q[uod] p[ro] s[o]lu[tio]n[e]
item exceptio[n]e s[ed] q[uia] corrupit p[ro]p[ter] de
posuerit s[ecundu]m copia aff[ir]gebant s[ed]
si dixasset q[uo]s corruptos et p[ro]p[ter] dixisse
lit hec si suffici[n]ssi aliter q[ui]a q[uod] h[a]bet
q[u]ittitur tunc p[ro] disputa[n]d[o] de resp[ons]i[s]
tercetera. s[ed] si dicti testes corrupti
p[ro]p[ter] dixasse tunc illa dicto corruptos
q[ua]lis[cum]q[ue] to[n]g[...] d[...] s[ed] s[ed] no[n] s[e]c[undu]m s[ecundu]m eo
p[ro]p[ri]a apponatur - it[em] e[st] nota v[e]t[er]r[um]q[ue]
p[ro] et hec e[st] de mente ip[s]ius q[ui]a q[uod]
exp[re]sse aff[ir]ma[n]t se no[n] appa[ret] i[n]
textu F. op[er] illi[us]

op

Sed dicunt alii quod competebat in tercium
quod ubi dicit clam vel interdictum quod vi
ff. quod vi aut clam l. i. § et iij et iiij in fine
ff. de vi et vi ar. l. i. in fine C. si in certum
ff. de vi et vi ar. l. i. in fine C. si in certum
propter ingressum non desierat possidere
siquidem ciuiliter quia possessionem suam solo
retinuit et ingressus fuit solum tercium
tamen et inquietatus est ut ce quod possessor
honoris districtus et inspector et ex
ingressu suo tamen retinuit etiam et naturali
possessione ingressus autem tercium et ideo
possessione tamen etiam quod tercius possessione
tercius tamen etiam quia tercius male habet quod in nullo ob. quod
unus et tercius male habet si in n. ob. quod
duo in solidum non possunt possidere eandem
rem quia locupletem eadem ciuilem possessionem si
in corporalia sunt de pluribus possideri ff.
de peculio l. quis § i. cum et l. sed et certi
ff. de iure l. ij et iij. l. i. vno et l. sed tum
tamen corporalis ab uno iuste et
ab alio iniuste Alii solvendi et quum
reducunt per sed in pristinus de vestra probat.

et dicitur quod si tercius fuerit potuisset per
exceptionem illa fieri quia possessione alie
generent et probaverit fuisse molesta
tercius etiam sed bene poterit quod illo si hoc non
potuerat, ideo ipso iure post. Preterea
ar. certe. in terminis quod dicto non valet quod ut
in c. pristinus potuisset ipse dicto restituere
licerent etiam quod pristinum non publicare
valent nec reddi fueritant ut est inde
daverant si si poterat hoc non dicebat
licet quod poterat gravius tercium qui
non poterat et si deponeret testes
pro duos Alia littera habet et in plus
inde quod tercius fuerit est petebat eorum
honore districtum et inspector si testes
pro tercio dicti deposuerint solum pro
esse de ipsius quod probatur in iudicium
deducta non fuerant et tunc nulli fuit
quum quod pro eodem quidem debat et etiam
probavit per testes multo plus et dicti
quicquid possessione et inspiciebant tercium
debuit quod opinione nec debuerit primum iure
pro ipsius quod illa precipua petita
non fuerant si solum fuerant dicta
testium quod ad probandum deductum in iudicium
pro deposuerint et quod hic probavit
etiam tercium hoc dicit fuit pro plus
non agetur sola possessio et si in hoc
propter quod in alio probatum fuit tercio sua
victoria vel si in multis fuit pro illa
quod tercius probationes pro in dixit pro
pluribus etiam dicit pro ac honore et
et quod dicit ar. supra de si rem ut quod
etiam probationes efferam quod probatis
causa de ipsius tercium hoc fuerit dant
tres annos de termino erit medius
terminus utiles vel continuus et ideo
terminus continuus si post quod erit utilis
ut si daretur terminus ad duos et
computantur licet in primo feriarum pasca
licet quod ne esset in utilis quam in capite
possessio currere terminus Item singulo
in ibi cum bene dicit quod actus criminis
exceptus sit ut civili imputatur propter
pro annorum iure canonico dicitur ut
Prescribi quod quicumque parte opponi xxiiij q. iiij

et in q erit. Si aut agatur actione in factum ad interesse dicit pro dolo si petatur restitutio propter factum dolosum scilicet concernens q̄ illo quo meo iudicio in plurimo efficiendo. Secundo vero factum dicit in petitum aliquid tamen tenet q̄ non dicat nisi questione(m) facti defendetur s. de exceptione rei venditae et ibi alii hoc tenent arg. in l. ob hoc dicit in l. ipso. Cuius q̄ astrinxerunt se testes ad verum q̄ dicit. Volo tamen q̄ prodeo q̄ dicit predictam non poterat q̄ hic contra ... q̄ contrarietate q̄ testes dixerint factum q̄ publicatis attestationibus non admittuntur alii testes super eodem articulo ut s. de testi. c. ij et c. olim et in dicta glo. ut s. et ... contra predictam ad hoc non sufficit proponere contrarietatem nisi et allegemus probabile iudice deb. illorum securum fuisse et hoc non primo ea quia potest esse q̄ testes dixerint falsum et iudex non est securus. Dicit quoque si constrinxerit. Et ubique dicit q̄ non ... tenet hoc et hos et fecit q̄ not. ... s. contra predictam in glo. et hoc est verum. Addendo tamen q̄ ... admittitur probat q̄ exceptio ... q̄ ipse est vera testes est corruptus quo ... q̄ non deponere amore ... veritas non est ... pro ... contra testes ... non admittitur contrarietas testium ... ad ingerendum et iudice fore securum dicit testium falsorum et ... religas. in principio glo. q̄ non fuit opposita ... predictam quia si fuisset factum q̄ propter ... testium non est retractanda sententia si diceretur iudice fore securum illos testes q̄ probabile est teste corruptum et verum dixisse et in ... non excepit ... matrimonio ... contra predicta ... et ... ut dicit ... est cum veni. ... In glo. ... cum ... quod ... copulative sufficit alterum ... si alterum sufficit ut in ...

ubi pro ... astringuntur ad verum ... et ubi expresso ... q̄ ... primo ... est ... de ... non ... pro ... alterius q̄ ... astrinxerat si propter officium. In glo. q̄ tamen ... multum ... hoc ... et ... turbent possessores in possessionibus ff. et ... in quibus ... immobilibus vel urbanis ... rusticis et hec de iure ... possunt ... tamen ... ut ... et s. de ... Glossa dicit q̄ ... ut glo. ... ff. et ... q̄ dicit q̄ ... temporali immobili ... ut ... ff. et ... q̄ dicit de ... generali ... moderni dicunt q̄ ... verba legis ... legis et ... dictum ... ff. de legi. ... non ... legis si ... contra ... et ... ff. si ... imperio ... et hoc est verum ... verba legis est ipso ut ... ff. de ... glo. ... locis dicit ... ut s. actiones ff. de negotiis gestis ... c. l. j. C. de ... et ... hoc ... ut ... ff. de ... usufructu glo. ... ff. ... q̄ ... sunt ... ff. ... quidam ... defendere glo. ... usufructuarii turbetur in possessione ... usufructuarius ... hoc ... interdictum ... ut s. si

F alle [illegible] i aut turbetur i q[ui]
possessione imp[edien]do vt frue[n]di tur
q[uo] tota [illegible] alij respondent hoc obliu[m]
dom[inu]m in[?] sicud spolia[tus] e[st?] q[ui]etas a possio
ne ut l. nullo q[uod] nichil sit i spolio
c[on]sufructu i p[ro] d[omi]nij ff. de c[on]struc
l. iij s[ed] ... vendo no[n] d[icitu]r p[ro]

qui affirmatores non a pr. pessima mea si aut i pcedunt ut q non re per relevatus tur s. mi s. surgit i pcedimtu tur turbac et d. eas ff de bi et si an l. liem fuit pro quiet9 sti pauli e i qui possessione eligendi abbatem i monasterio sti stephi quiet9 sti stephi turbat quietu sti pauli competit ut i terdcm hac q. et hic attende quod si turbare guigere per nullas mens uno admittit de eletm pro quietu sti pauli qz non obi dicendo ei cum hoc eiu forte non turbatur si qui possessione nisi eligenda vel

tibi eligerunt et admiserunt sic tur bato nisi qui eli 2 per non ly licet hoc i terdcm s deb. rest. ad ,,possessio nem spectabile et aliquid videtur ff de restit. li. i. q. g. g. p. tamen sit dare de cappello apposito et si q dicerz dns et electo qui plato suo non obediet ergo mo sti turbari posse uius eligendi ut pote s quiet9 sti stephi eligit tur dos adverdere q alii eligit fuit re et invighete quietu sti pauli tur quiet9 sti pauli quidem possessione qua. i spus i corporalit non i aliud qui possessio in quolibet ius cu patienta adversario tollendo ff de s iuitu li. m et li. quotiens et tur ly licet hoc interdcm competit solu possedenti si aut quiet9 sti pauli eligit non obstante quiet9 sti stephi tur i vera turbato i qui possessione uius eligendi et competit hoc interdcm ut non ut per d i tex ut supra i ij — dicitur an tur q eligentes competat hoc i terdcm an q. electus s qui acceptat pro dicit q non competit q electus s solu q eligentes et i vera apio sum nisi si acceptas electus purget turbato uius eligendi ut si aliq quos vocaret quiet9 sti pauli volent accedere ad eligendu vidente alii accepisse tur in surgit turbato assem accipites ut tertm de d affirmatore — sic an cum ecclie competat hoc i terdcm q cum qui fuit turbatos a ecclia dicit q loco forte qz per i li. a. q hac i terdcm ff. et — hic admittit ut alii non vult agere qz turbatur a qui possessione uius non dei ecclie et tur competit i terdcm alii vult agere qz turbatur possessioni ecclie ut i quod corpus solu coheres et tur non competit si tur deb. rest. ad i terdcm nisi i loco suo ad — similiter cum competit hic i terdcm de qz possessori non vi clam nec precario et i quietato s vel p. sp. de p. li. ut ff. et s. sidus i pri. s li. i. i pri. ar. q. quem possessione ut i quietare — aliud sti spoliasti

tamen

am̄. vel sic ego turbo te. tu . i. tenebas hoc . i. tenebam ego replico quod ibi possidebas animo et [illegible] tu perturbas [illegible] quod debet [illegible] [illegible] singulariter quod [illegible] [illegible] et [illegible] hoc ibi non [illegible] et [illegible] [illegible] [illegible] [illegible] adventum [illegible] [illegible] [illegible] et quod possessor [illegible] [illegible] debet narrare et quod petit hoc . i. tenebam [illegible] [illegible] [illegible] narrare se possidere vel [illegible] possidere [illegible] debet narrare adversarium turbasse [illegible] et . i. quietare [illegible] et debet [illegible] [illegible] et turbat et debet [illegible] molestare [illegible] et [illegible] in futurum non molestet [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] et [illegible] [illegible] [illegible] debet exprimere quod possidebat [illegible] vel [illegible] exprimendo qualitatem possessionis [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] adversarium qui forte [illegible] [illegible] aliquo [illegible] possessionem possidere [illegible] debet [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] debet narrare animo et [illegible] turbatores et [illegible] [illegible] [illegible] ut [illegible] libellus [illegible] [illegible] libellus [illegible] [illegible] [illegible] adversarii et [illegible] debet [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible]

[illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] adversarii [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] exprimere [illegible] vel [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] debebat [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] an debeat narrare [illegible] turbationis [illegible] [illegible] modis [illegible] quod turbari [illegible] [illegible] narrare [illegible] [illegible] explicare debet circumstantias [illegible] [illegible] et [illegible] [illegible] hoc [illegible] debet explicari qualitas turbationis non [illegible] [illegible] possessionis [illegible] debet explicari [illegible] adversarii non [illegible] [illegible] [illegible] [illegible] turbati [illegible] [illegible] [illegible] [illegible] adversarii [illegible] possessio [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] modum [illegible] a turbatione [illegible] non [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] possideo turbatur et [illegible] [illegible] animo et [illegible] [illegible] turbat me [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et non [illegible] [illegible] [illegible] [illegible] [illegible] possessio [illegible] [illegible] [illegible] [illegible] de non molestando [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] possideo [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] possessione [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] tenebam [illegible] [illegible] [illegible] [illegible] animo non possideo [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] possidere animo et [illegible] et [illegible]

vel videtur ff. si certum petetur
si hoc tantum tu teneris et teneres ut
statim tangit quia et ita tenet hic et
[illegible] in l. [illegible] [illegible] [illegible]
hic quia possidet clam [illegible] et
tradidit tibi bona fide [illegible] et omne
ti nunquam teneris hoc intendo glossa in l.
si duo ff. [illegible] quia non debet
esse melioris conditionis quam actor cum
[illegible] glossa fuit [illegible] in [illegible] si duo
non videtur [illegible] defendit glossa
et dicit quod [illegible] illis non videtur [illegible]
possidere ut teneatur in [illegible]
[illegible]
[illegible]
[illegible] ff. de [illegible] l. i. [illegible]
formetur [illegible] in hoc intendo [illegible]
[illegible] quod [illegible] debet [illegible]
[illegible] possidere ut [illegible]
[illegible] glossa ff. de [illegible] [illegible]
et quia in [illegible] et quia in [illegible]
in [illegible] [illegible] hic [illegible]
[illegible] alium in hoc intendo [illegible]
actor et [illegible] quia [illegible]
tur [illegible] quod [illegible] possidere
possidet et alter [illegible] quod
[illegible] [illegible] ad [illegible]
de quibus [illegible] si autem [illegible]
[illegible] possidet [illegible]
[illegible] possessionis [illegible]
et proprietarius [illegible] ad [illegible]
et [illegible] [illegible]
ut [illegible] possessionem [illegible]
si [illegible] possidet iuste alter iniuste
[illegible] adversarius suus si autem [illegible]
possidet iuste alter autem iniuste
ab adversario suo [illegible]
iuste possidentem ad [illegible] de
[illegible] si autem [illegible]
se possidere [illegible] possessionis
hic [illegible] difficultas et [illegible]
[illegible] alter probat se
possidere [illegible] et meliores testes
et [illegible] debet [illegible] ff. de testibus l.
[illegible] [illegible] testes [illegible]
[illegible] sunt equales [illegible] et [illegible]

[illegible] probat antiquiorem possessionem
ille [illegible] quia posterior possessio [illegible]
sunt [illegible] quia duo in solidum possi-
dere non possunt ut l. [illegible] de [illegible]
[illegible] ff. [illegible] et hoc si autem [illegible]
probat possessionem equalis [illegible]
si alter probat titulum sue possessionis
alter non probans [illegible]
ut hic quia [illegible] titulum [illegible]
[illegible]
l. si et hoc [illegible] hic et [illegible]
[illegible] possideris [illegible] hic
in [illegible] et hic in casus si autem
nullus probat titulum vel omnes equaliter
probant hic dicitur [illegible] quidam dicunt
quod debet [illegible] possideris
[illegible] ut si neuter [illegible]
[illegible] neuter [illegible]
[illegible]
quia l. [illegible] ff. de [illegible]
quod [illegible] apud [illegible]
[illegible]
ut l. [illegible] si hoc [illegible]
quis [illegible] non [illegible]
quod possideat dicitur quod forte [illegible]
ut l. si [illegible] aliqui
hoc [illegible] quia [illegible] non [illegible]
[illegible] ff. de [illegible] in l. [illegible]
[illegible] si [illegible]
[illegible] possessor [illegible] alii quod
[illegible] ad
in [illegible] ff. [illegible]
poss. l. [illegible] dicerentur
[illegible] eadem [illegible]
[illegible] et [illegible] si
possidere [illegible] quod [illegible]
[illegible] cum [illegible]
[illegible] in [illegible] cum [illegible]
[illegible] quod [illegible] [illegible]
[illegible] quod [illegible]
inter eos [illegible]
[illegible] cum [illegible]
[illegible] quod [illegible]
[illegible] [illegible] non [illegible]
[illegible] [illegible] in [illegible]

de ff. si quis dicit quod arg. contra in(de) labebatur
in expoliis et ipse si expedit vel
debuit si non est in [illegible] expoliata
in laborant argumento dicit [illegible]
procedendo quod ille a me vi possidet
quem vi me deiecit / ille possidet
etiam qui etiam in capite et ille
precario qui precario a me detinet
sic adtende [illegible] alia actor
possidet naturaliter et civiliter et nihilominus
nullomodo possidet si turbat tunc
competit actionem uti possidetis optinere
debere in interdicto si tamen actor non
probare se sit [illegible] possidere ipse licet competere
in statu uti possidetis quod hoc [illegible]
nisi actor possidere ab adversario
vi etiam nec precario tunc [illegible]
[illegible] in interdicto sicut [illegible]
certo in quintilire compulsore [illegible]
[illegible] non licet illa expellere nisi in [illegible]
in quantitate [illegible] non tunc uti possidetis ex-
pellens autem tunc [illegible] glo. [illegible]
possessor [illegible] alia [illegible]
ff. si [illegible] esse ego [illegible] domino [illegible]
quod

... possidebat naturaliter quantum tertius expulit te de
tua [illegible] et sic vi possidet a te et non a me
si agam [illegible] cum hoc interdicto [illegible] pu[illegible]
[illegible] quod non [illegible] illam [illegible] a me et hoc
[illegible] si me recognosceres in dominum [illegible]
si non recognosceres si me turbares in
mea [illegible] aliter quod pretextu tue
naturalis [illegible] agere posse et optinere [illegible]
dico in vasallo et domino quod non credo nam
vasallus propter naturalem quam retinuit in
[illegible] obligatus et propter hoc retinet
civilem [illegible] [illegible] vasallum [illegible]
[illegible] detinendo turbat me in [illegible] et
[illegible] quod non [illegible] vendere
domino [illegible] de [illegible] potuit [illegible]
[illegible] quod etiam [illegible] esse [illegible]
domino et sic [illegible] civilem tu [illegible]
[illegible] habeas naturalem te fructu-
ario absente quando etiam in [illegible]
est ille etiam possidet a fructuario
non a me [illegible] quod fructus
[illegible] retinet suam naturalem [illegible] de [illegible]
et [illegible] [illegible] ingrediens
[illegible] non [illegible] et hec [illegible] maxime
procedit [illegible] quod post tertiam possessionem
potuit [illegible] quando [illegible] naturalem et
corporalem [illegible] ingrediens
corporalem non naturalem [illegible]
esse absente domino quando ingreditur
[illegible] ab alio non a domino
[illegible] ingressus ab alio non a domino
etiam possidet et ita [illegible] glo. in l.
[illegible] interdictum ff. de [illegible] possidetis [illegible]
[illegible] in [illegible] quod si absentis
[illegible] distinguendum [illegible] naturalis alius in-
gressus est etiam et [illegible] bonum [illegible]
[illegible] de [illegible] domino [illegible]
[illegible] alius ingreditur etiam ille possidet
etiam non a fructuario [illegible]
[illegible] [illegible] procedit
a fructuario et domino [illegible] domino
recognosceretur ut domino in [illegible]
[illegible] et feudatario non procedit ut
[illegible] [illegible] in precario esse
in precario recepisti a fructuario

tu possides precario meo a domino sed a fruc-
tuario [illegible] questio contingit quod unus possidet
iuste alter iniuste ab adversario vel
ab alio quod certe ego dominus possideo factum
tuum in ingressus est factum ut fructuarius
precarius quod non intendas [illegible] precario
sed solum in causa quod ille nunc tu possides
a me nactus et iniuste ego iuste dico
opinione [illegible] agas [illegible] contra [illegible]
factus quod si dominus [illegible] quod alter possessor
fuit [illegible] ab eo illud probat ff.
de [illegible] l. [illegible] et nota
an de se [illegible] possessor est quod [illegible]
ff. si possidere [illegible]
[illegible] poss. [illegible] videndum sit
de clam possessione dominus erat absens aliquis
precario ingressus est et [illegible] male
possessione ut l. clam possidere [illegible] ad nun-
dinas ff. de acq. poss. et si dicas domino
[illegible] et non admisso ille incipit
possidere [illegible] ad nundinas
absolute quantum ad valorem [illegible]
[illegible] ut l. clam [illegible] alia quantum ad
[illegible] dico quod iste non [illegible] posse
repelli [illegible] ius [illegible] non [illegible]
ff. de acq. poss. l. [illegible] in tandem [illegible]
in rebus opponit [illegible] illud in
clam [illegible] de [illegible]
fugiens [illegible] de veniendi [illegible]
et nota [illegible]

Item si quis navem aliquis [illegible]
[illegible] et [illegible] repellitur [illegible]
de precario alteri [illegible]
[illegible]
[illegible]
[illegible] filiationis [illegible]
[illegible] possessione filiationis [illegible] filia
[illegible] fuit confessus
[illegible] filium et eo mortuo [illegible]
[illegible] ad successionem ego volo [illegible]
quod illa confessio [illegible] fuit [illegible]
possessio [illegible] non [illegible]
in libro [illegible] non
[illegible] vel [illegible]
[illegible] dicat [illegible] confessio illa probat

[illegible] quoniam ut [illegible] non obstante alia
[illegible] quod [illegible] fuit confessus [illegible]
fecerit et [illegible] credendum [illegible]
[illegible] de suo preiudicio [illegible]
quod modis [illegible] filiatio [illegible]
[illegible] querimonia [illegible] uxoris et
[illegible] ad [illegible] et illum natum [illegible]
[illegible] domo [illegible] et
[illegible] filium ff. de [illegible]
qui [illegible] vel [illegible] unus et
[illegible] ipsa [illegible] l. [illegible]
ff. de [illegible] et [illegible]
[illegible] quo ad [illegible] et in
[illegible] probabiliter et [illegible]
[illegible] recurritur ad probabile
[illegible] modo [illegible] filiatio [illegible]
[illegible] tractantur ut filium et [illegible]
illos ut [illegible] et [illegible]
possessionis [illegible]
[illegible] ff. de [illegible]
in [illegible] l. cum [illegible]
[illegible] modo [illegible]
[illegible] tres modos et [illegible]
[illegible] quod [illegible]
domo [illegible] et tractatur ut
filius mortuo [illegible] mater tractat
[illegible] alium quem ipsum tractat ut filium
volo venire ad successionem [illegible]
[illegible] ut filium [illegible] et
[illegible] tractatur [illegible]
[illegible] l. filium [illegible]
[illegible] ut
l. filium [illegible] sola possessio-
ne [illegible] dico me filium
[illegible] me tractat [illegible] ut
filium [illegible]
[illegible] me filium et [illegible] solam
possessionem [illegible] possessione
[illegible] [illegible]
et [illegible]
[illegible] ff. de [illegible] l. cum [illegible]
[illegible] filiatio
de [illegible]
me filium et [illegible]
[illegible] illa fuit [illegible]

q̄ fuit probabilit q̄z probationis fuere
fuit i. hom̄ pretermi sic filiatio e̅ n
probabilis de notis q̄ filius nō debz
admitti p̄o. nā ponendo me filiū [illegible]
tiur p̄one q̄ p̄ [illegible] f. filiū p̄
eē t̄n e fuāe [illegible] dispu
tas de matrimoniis et tractatie q
ingū et natim[te] i domo [illegible]
timus et q̄lr me tractabant parentes
ut filiū et q̄ e opus [illegible] [illegible]
dicit t̄n aliq q̄m de notō ut si
probetur natus et bapt̄ i [illegible]
[illegible] et [illegible] custoditos po [illegible] [illegible]
e t̄n p̄o q̄ custodes nō potuerūt p̄
singulare ff de [illegible] l. servitutes
singula n̄ i fi [illegible] q̄ hic n̄ [illegible]
fauor filiationis q̄ ipse [illegible] allegau
dat aliam p̄o q̄ statur p̄o dō matris
q̄ melius nouit n̄ statur [illegible] dō [illegible]
tris q̄ hec dixi ut filius [illegible]
morte n̄ statur p̄o dō [illegible] q̄ i de
libertate illud dixit [illegible]

Iudex hic [illegible]

notum vel duos [illegible] [illegible] q̄ [illegible]
acta iudicii [illegible] officialis [illegible]
nt p̄ superiorē [illegible] n̄ [illegible] [illegible]
credetur nisi [illegible] p̄ acta [illegible]
[illegible] constitutionis [illegible] [illegible]
in iudicis [illegible] iudex [illegible]
[illegible] ut hic no q̄ [illegible] [illegible]
[illegible] ipse [illegible] [illegible] ut i [illegible]
et [illegible] i [illegible] si quis hic [illegible] nō e̅
iudex q̄ [illegible] ipse [illegible] [illegible] [illegible]
de ver[illegible] [illegible] i materia qui credit a
verbo n̄ q̄ i materia [illegible] et [illegible]
[illegible] dicat [illegible] i [illegible] ut [illegible]
[illegible] [illegible] i [illegible] [illegible] ut [illegible]
[illegible] hoc e̅ p̄ principia [illegible]
[illegible] et [illegible] probatio p̄ [illegible] [illegible]
[illegible] de [illegible] cum [illegible] et [illegible]
alia fit p̄o p̄ effectu et illa [illegible] p̄
q̄ [illegible] dicit [illegible] modo [illegible]
[illegible] nō [illegible] n̄ [illegible] n̄ [illegible] [illegible]
[illegible] p̄ [illegible] [illegible] [illegible]
q̄ [illegible] nō [illegible] veritate [illegible]
q̄ [illegible] nō [illegible] de [illegible] placuit

de [illegible] c. si de [illegible] c. [illegible]
ordinario i quo ad [illegible] [illegible] ordo
iudiciarius n̄ q. i. i criminis [illegible] et n
ferri ad officium iudicis. f. de [illegible]
ordinario [illegible] [illegible] i [illegible]
ut [illegible] publicum i. tabellionē ff n
publ[illegible] fore l. i. et ibi [illegible]
scriniis [illegible] i. de [illegible] [illegible]
tabularius l. [illegible] [illegible] C. de [illegible]
[illegible] tabellio ut i. de fi i stru
cu p̄ [illegible] notarius ut i. de fi c. i. et
iste [illegible] publicum [illegible] ut i. de fi
[illegible] c. i. z n̄ n̄ [illegible] [illegible]
[illegible] vel i [illegible] i. [illegible] [illegible]
[illegible] et q̄s possit tabelliones creare
[illegible] de fi i stru c. [illegible] et [illegible]
q̄ [illegible] nisi [illegible] p̄betur de [illegible]
[illegible] et i. de [illegible] c. si [illegible] de
[illegible] de [illegible] c. i. [illegible]
de his [illegible] de [illegible] [illegible] et i.
de [illegible] cum [illegible] [illegible] [illegible] de [illegible]
[illegible] i. de [illegible] [illegible] [illegible]
[illegible] et [illegible] et p̄ has [illegible] fit
[illegible] [illegible] confessione de [illegible] [illegible]
[illegible] [illegible] de [illegible] c. [illegible] [illegible]
et [illegible] [illegible] debent [illegible]
[illegible] [illegible] [illegible] fieri [illegible]
[illegible] [illegible] [illegible] de fi i stru
cum [illegible] i [illegible] [illegible] [illegible]
ff de [illegible] l. q̄ [illegible] et [illegible]
de [illegible] cum [illegible] [illegible] [illegible] de
[illegible] [illegible] i [illegible] ut
[illegible] ut [illegible] [illegible] de [illegible]
i. de [illegible] ut [illegible] [illegible] de fide i stru
[illegible] [illegible] [illegible] [illegible]
cum [illegible] [illegible] i [illegible] [illegible]
et tabelliones [illegible] nō [illegible] [illegible]
[illegible] i [illegible] de quo [illegible] de fi i
stru cum [illegible] [illegible] [illegible] [illegible]
[illegible] i [illegible] ex [illegible] et [illegible]
[illegible] [illegible] [illegible] iudicu et [illegible]
nō [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et dicunt aliqui q̄ [illegible] [illegible] q̄ i
[illegible] [illegible] et [illegible] [illegible]
[illegible] nō [illegible] [illegible] [illegible] [illegible]
[illegible] q̄ [illegible] tabelliones nō [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

in medio quibus opinatur auctoritas uideatur probus quorum inter est scripturis alii dicunt quod penes iudicem et [illegible] obseruantia [illegible] et [illegible] officio remanere [illegible] ordinarii et tunc esse quod aliud transcriptum remanet penes tabellionem [illegible] subordinata [illegible] et [illegible] tamen [illegible] de aliis fide [illegible] in prudus [illegible] non [illegible] qui facilius corrumpuntur [illegible] ergo difficultas [illegible] non [illegible] locum [illegible] aduersione [illegible] supponens de [illegible] non esse solutio [illegible] fine [illegible] equitas [illegible] colligitur aliquid [illegible]

[illegible]

Uides in quod duo [illegible] subrogari loco tabellionis et forte [illegible] propter defectum tabellionis et [illegible] aliquos non [illegible] ipsi aliquid [illegible] requiritur [illegible] que [illegible] scriptura [illegible] [illegible] auctoritate et [illegible] iudice [illegible] [illegible] non creditur [illegible] creditur scripture tabellionis [illegible] iudicis [illegible] [illegible] tunc [illegible] de commissione [illegible] iudicis [illegible] de testibus [illegible]

[illegible]

in l. [illegible] albus et tam si fuerint
publice in carte scripte sunt [illegible]
in actis [illegible] inter alios non nisi
[illegible] eorum [illegible] litigantibus et
producit hec in [illegible] que unus in [illegible]
[illegible] cum eorum [illegible] et hic [illegible]
alia [illegible] quia si in instrumento [illegible]
et [illegible] auctoritate iudicis [illegible]
[illegible] originali. Hec acta [illegible]
ut posset [illegible] originali fuerit
[illegible] de manu tabellionis quia in [illegible]
[illegible] non opposuit in [illegible] et hic [illegible]
[illegible] scriptura [illegible] et primis
[illegible] de tenore [illegible] ubi
[illegible] ut quia [illegible] tabellio [illegible]
instrumenti [illegible] caput [illegible] et finem [illegible] non
[illegible] tenor et [illegible] opus [illegible]
[illegible] originali [illegible] ubi totus tenor [illegible]
non [illegible] opus [illegible] originali [illegible]
[illegible]
[illegible]
[illegible]

[illegible] si [illegible] tabellio [illegible] testes
[illegible] non [illegible] et [illegible]
[illegible] fieri [illegible] iudici [illegible]
ut posset se defendere quia [illegible]
[illegible] testi [illegible]
[illegible] cognitum [illegible] loquitur ubi non
[illegible] testes [illegible]
[illegible] iudex [illegible]
[illegible] iudex [illegible]
qui [illegible] testes in [illegible]
[illegible] et [illegible] non [illegible]
[illegible] tabellionis quia non [illegible]
[illegible] quia iudex [illegible]
[illegible] tabellio [illegible]
[illegible] et [illegible] iudex [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] difficultas [illegible]
[illegible]

debent testes esse presentes quando producuntur contra testificantur super articulis presentis parte vel dispensatis quia si negauerunt testes in publicationem
fuerint [illegible] ut dicit non extra et [illegible] significantur
fiunt in [illegible] super articulo petito de quo
de ponunt testes [illegible] non fit
super petito quod fit super depositione [illegible]
super depositione testium [illegible] articulus de quo
deponunt fit petitus [illegible] si
deponunt [illegible] et [illegible]
articulis [illegible] non [illegible] pro [illegible] de actis
[illegible] non [illegible]
[illegible] videbatur quod si [illegible] dicit quod
[illegible] depositiones testium [illegible]
[illegible] non [illegible] quod non potuit
[illegible] dato quod non apparere
[illegible] depositiones vel apparentur et non
probant quod [illegible] non est [illegible]
[illegible] non [illegible]
[illegible] error [illegible]
quod hoc est quod [illegible] non [illegible] et
fuit [illegible] non [illegible]
[illegible] applicat [illegible]
de [illegible]
[illegible] de quo [illegible]
[illegible] acta [illegible] publicatione [illegible]
[illegible] dicit quod [illegible] acta quae [illegible]
[illegible] publicata ut [illegible]
[illegible] iudice vel tabellione vel duos
[illegible]
fuit [illegible] non [illegible] publicata [illegible]
publicatum ut testes [illegible]
[illegible] publicatum [illegible] testimonia [illegible]
[illegible] publicata non probant [illegible]
testes non audierunt [illegible]
publicatos probant et [illegible]
[illegible] probat [illegible] originale
[illegible] verba [illegible]
[illegible] acta [illegible]
[illegible] dicit
[illegible] documentis [illegible] testes
[illegible] acta [illegible]
[illegible] testes de hoc [illegible] textum et
[illegible]
[illegible]
[illegible] tabellionis vel [illegible]
[illegible] Jnglo. [illegible]
ut plene dixi [illegible] Jnglo
[illegible]
[illegible]
[illegible]
[illegible] creditur [illegible] ut in [illegible]

[illegible] quod non. Jnglo. [illegible]
sufficit [illegible] ut dixi in textu et [illegible]
tabellio [illegible] testes qui deponunt
sigillum et secreto et sic ibi non erit
testis et ibi [illegible] hoc [illegible]
testes [illegible] qui testes [illegible]
[illegible] Jnglo. ut [illegible] hoc [illegible]
[illegible] non [illegible] hoc [illegible] et [illegible]
ut dixi non [illegible] relatio
et [illegible] testes [illegible]
[illegible] testes [illegible]
habebit [illegible] ad acta [illegible]
[illegible] non credet iudici quod [illegible]
non [illegible] quod nobis [illegible]
[illegible] arbitrium
[illegible] Jnglo. [illegible]
[illegible] ut dixi de [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
Jnglo. et [illegible]
[illegible]
[illegible] Jnglo. [illegible]
de hoc non [illegible]
Jnglo. [illegible] actus [illegible]
[illegible]
quod si [illegible] non [illegible]
[illegible] non de [illegible]
Jnglo. et [illegible]
[illegible] non [illegible]
[illegible] Jnglo. [illegible]
[illegible] et [illegible]
[illegible] non [illegible]
et [illegible] actus [illegible]
[illegible] Jnglo. [illegible] ut de
[illegible]
Jnglo. [illegible] dicit quod [illegible]
[illegible] non [illegible]
[illegible]
[illegible]
[illegible] adversa
[illegible] et non appellante et si
[illegible]
non [illegible] quod [illegible] acta [illegible]
et si non [illegible]
non [illegible] ad [illegible] hoc [illegible]
et [illegible] adversarii [illegible]
[illegible]

Si [illegible] delegasse.
[illegible] non [illegible]
[illegible]
[illegible]

nega[illegible] nō [illegible] negā [illegible] ꝓ confessionē
de quo dic [illegible] c. i. de cons. libi ¶ Ista
qm̄ [illegible] c. i. [illegible] dic' ꝯsuetudo
[illegible] ꝯsupta. Itē q nō [illegible]
ad ro[illegible] ꝯcordanciā ubi ē ꝯtrariū
ordinariū ¶ Ita [illegible] hec ꝯsuetudo
qr nō erat [illegible] de ꝯss[illegible] principis
qui [illegible] ubi lege [illegible] ff de leg.
l. de q[illegible] vel [illegible] qr erat [illegible]
[illegible] et [illegible] bonos mores [illegible]
[illegible] principe roborari [illegible] di illa
[illegible] nō credo qm̄ ꝯsuetudo [illegible] solo
tacito ꝯss[illegible] principis
de quo [illegible] ꝯsuetudo [illegible]
ꝯsuetudo [illegible] mere [illegible]
[illegible] et [illegible]
de [illegible] ꝯsuetudo c. in et [illegible]
et erat [illegible] ꝯsuetudo [illegible]
[illegible] admittetur [illegible] nega[illegible] [illegible]
[illegible] admissa fuiss[illegible]
[illegible] erat [illegible] c. in de [illegible]
[illegible] ¶ dicebat hic
[illegible] c. i. et c. [illegible] ¶ [illegible] nō [illegible]
[illegible] purgande nō [illegible]
obligatū [illegible] et [illegible] ¶ [illegible]
[illegible] c. in [illegible] de testi. [illegible]
[illegible] iusta [illegible] iusta [illegible] ubi [illegible]
tenere [illegible] iusto mō et honesto
[illegible] et tu [illegible] illa [illegible]
[illegible] nō [illegible] illa [illegible]
[illegible] cū modo q pt deduci [illegible]
[illegible] et de q pt [illegible] de quo nō [illegible]
[illegible] c. i. [illegible]
[illegible] libras
aliquos [illegible] et alia [illegible]
[illegible] et de eode [illegible]
[illegible] narrā[illegible] ubi
[illegible] libros [illegible] librorum [illegible]
[illegible] valuū [illegible] certis [illegible] libras
[illegible] certis [illegible] nō [illegible] libri
¶ [illegible] admittere [illegible] alii
[illegible] libros et [illegible] testib[illegible] ff
[illegible] hic [illegible] q erat [illegible] de
finib[illegible] [illegible] erat [illegible]
[illegible] nō [illegible] erat [illegible] possessioni
[illegible] terras qr erat terre de novo re
ducte ad cultū [illegible] et [illegible]
[illegible] occupande de [illegible]
[illegible] opponit [illegible] alter [illegible] possessione
[illegible] possessione [illegible]
[illegible] de [illegible] et [illegible]

[illegible] nō [illegible] fieri [illegible] libros vel [illegible]
[illegible] ubi nō [illegible] possessione
[illegible] erat [illegible] de novo
[illegible] fuerat [illegible] et [illegible] dubi
[illegible] de finib[illegible] de novo [illegible]
[illegible] dicebat [illegible] hic [illegible]
[illegible] nō pt [illegible] fieri
posse de novo [illegible] antiqs [illegible] et
[illegible] inter [illegible]
hic [illegible] nō [illegible] vel [illegible]
[illegible] vel [illegible] vel [illegible]
[illegible] de [illegible]
nō [illegible] de aliquo iusto titulo [illegible]
[illegible] diligen[illegible]
et [illegible] plenarium [illegible] vel [illegible]
ad [illegible] ad [illegible]
[illegible] ¶ [illegible] opponit qr ad [illegible] ad
[illegible] limitate fuerant [illegible]
[illegible] c. i. et xx nō [illegible] de c. i.
¶ [illegible] et fuerunt limitate [illegible]
nō [illegible] vel [illegible] aptas
[illegible] fuerunt [illegible] aut
fuerunt limitate [illegible]
[illegible] erant [illegible]
[illegible] [illegible] alter
[illegible] et [illegible] divis[illegible]
[illegible] nō [illegible] et [illegible]
[illegible] multū [illegible]
[illegible] possessione [illegible]
[illegible] tenebat [illegible] alter
[illegible] et [illegible] limitatio
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] quod
[illegible] nō [illegible] apparet [illegible]
[illegible] ¶ [illegible] nō erat [illegible]
de [illegible] certo loco [illegible]
[illegible] limitis [illegible] Angliam
[illegible] vel pt [illegible]
[illegible] et [illegible] et [illegible]
[illegible] intelligi [illegible] et [illegible]
[illegible] et [illegible]
[illegible] de [illegible] hic
[illegible] et [illegible] supplebatur
et [illegible] de [illegible] nō [illegible]
[illegible] et [illegible] ¶ [illegible] opponit
[illegible] de novo erant [illegible] ad cultū erant [illegible]
[illegible] cū fuisset [illegible]
[illegible] nō
[illegible] ad [illegible] xxii

et [illegible] nō [illegible]
[illegible]
n[illegible]

vel cum [illegible] auct. de [illegible] c. fi. d.
cum [illegible] cum [illegible] qui dictum [illegible]
[illegible] non fuit [illegible] dimissio
[illegible] ut [illegible] q. i. [illegible] et non [illegible]
[illegible] et [illegible] [illegible]
[illegible] et [illegible] quaecumque [illegible]
ad has [illegible] [illegible]
[illegible] placuit [illegible] q. iii. et [illegible]
[illegible] [illegible] [illegible]
[illegible] Inglo. i. [illegible] et in q. [illegible]
[illegible] et [illegible] alias [illegible] dicto et
[illegible] Est [illegible] scripture [illegible]
[illegible] [illegible]
[illegible] et [illegible]
[illegible] intelligi cum [illegible]
fuerint [illegible] et diligenti custodia [illegible]
[illegible] cum [illegible] non
[illegible] [illegible] non
[illegible] [illegible] dicit
aliud [illegible] non [illegible]
[illegible] [illegible]
[illegible] et [illegible] sunt
[illegible] inter [illegible] inter alias
[illegible] [illegible] [illegible]
inter [illegible] [illegible]
[illegible] ut [illegible]
[illegible] et [illegible] non [illegible] ut
[illegible] non [illegible] libros
[illegible] [illegible] [illegible]
aliquid [illegible] vel [illegible]
[illegible] alia [illegible] et [illegible]
non [illegible] [illegible]
[illegible] [illegible]
[illegible] et [illegible] [illegible]
vel [illegible] [illegible] Et [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] alia [illegible]
alia [illegible] alia [illegible]
[illegible] [illegible]

[illegible] matrimonio

[illegible] [illegible]
[illegible] et [illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible] in [illegible]
[illegible] [illegible]
[illegible] [illegible] et [illegible]
[illegible] non [illegible]
[illegible] et [illegible] apparuerit [illegible]
[illegible] et [illegible] cum [illegible]
[illegible] [illegible]

[illegible] et [illegible] quinque [illegible] et [illegible]
[illegible] non [illegible]
[illegible] [illegible]
de [illegible] de balneo et alias
ad [illegible] [illegible] plene [illegible]
[illegible] admitti
non debet [illegible] [illegible]
[illegible] [illegible]
de [illegible] de [illegible]
non [illegible] colligitur
[illegible] alius [illegible]
[illegible] [illegible]
cum [illegible] non [illegible]
[illegible] [illegible]
[illegible] non [illegible] vel minuatur
[illegible] et [illegible]
[illegible] Inglo. in [illegible]
de [illegible] et [illegible] [illegible]
[illegible] in [illegible] cum [illegible]
[illegible] [illegible] [illegible]
[illegible] Inglo. [illegible]
[illegible] martirio et [illegible]
[illegible] [illegible]
[illegible] et [illegible]
[illegible] martinus et [illegible] et [illegible]
[illegible] moralis
[illegible] morali et mali
[illegible] [illegible]
[illegible] [illegible]

[illegible] dedicavit primus [illegible]

[illegible] [illegible]
[illegible] [illegible]
et [illegible] cum [illegible] et [illegible]
[illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] ut [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] ut [illegible]
[illegible] non [illegible] in [illegible]
[illegible] vel [illegible]
[illegible] in [illegible]
[illegible] [illegible]
vel [illegible] non [illegible] cognoscere
[illegible] [illegible]
[illegible] vel [illegible] fuerit
[illegible] et [illegible] [illegible]
vel [illegible] [illegible]
[illegible] ut [illegible]
[illegible] cum non [illegible]
[illegible] et apparuerit [illegible]
[illegible] non apparet non [illegible]
[illegible] [illegible]

[illegible]

[illegible]

quod non debet esse inimicus capitalis [illegible] qui
inimicus non potest deponere [illegible] super [illegible]
[illegible] et ubi etas quod xiiii annorum vel xiiii
in crimine [illegible] et xx [illegible] et
ubi fama quod non male fame [illegible]
et ubi fortuna quod non debet esse pauper nec
propter paupertatem [illegible] et ubi fides
quod debet esse catholicus [illegible]
sunt [illegible] requiritur ne [illegible]
[illegible] sufficit quod [illegible]
[illegible] requiritur [illegible]
aut [illegible] nec obstat
[illegible] loquitur [illegible] litere
ubi sufficit [illegible]
[illegible] aut [illegible]
[illegible] requiritur [illegible] testes
[illegible] non [illegible] aut [illegible]
[illegible] non [illegible]
qui mitti [illegible] ubi [illegible]
[illegible] requiritur sola ubi [illegible]
[illegible] vel [illegible] testes non
[illegible] nisi [illegible] ut [illegible] non [illegible]
[illegible] et [illegible] litere
[illegible] sufficit quod [illegible] ut
ubi [illegible]
[illegible]
[illegible] quod [illegible]
[illegible] ubi [illegible]
[illegible] ubi [illegible]
dici quod [illegible] non [illegible] aut
[illegible] et non [illegible] aut [illegible]
[illegible]
repellitur ut ubi [illegible]

[illegible] testificantur [illegible]

[illegible] crimine [illegible] non
[illegible] quod [illegible] usque ad finem
[illegible] et [illegible]
[illegible]
[illegible] crimine [illegible]
[illegible] vel [illegible] et
[illegible] aliqua [illegible]
mulieris [illegible] non [illegible]
vel [illegible] mulieris [illegible] mulieris
[illegible] mulieris non
[illegible] ad [illegible]
[illegible] mulieris
[illegible] mulieris [illegible]
[illegible] admittitur mulieris ad testificandum
[illegible] crimine et [illegible] crimine [illegible]

[illegible] crimine [illegible] testi [illegible]
non [illegible] crimine [illegible] vel
[illegible] quod ad aliquid [illegible]
[illegible] quod [illegible] non admittitur [illegible]
[illegible] ut [illegible]
mulieris [illegible] quod [illegible] mulieris [illegible]
[illegible] crimine vel [illegible] quod non ad
[illegible]
[illegible] criminali [illegible]
[illegible] ut [illegible] quod
ad [illegible] et non [illegible] admittitur
[illegible] crimine vel [illegible] quod [illegible] admisse
fuerunt [illegible]
[illegible] admittitur [illegible]
criminis ut [illegible] glo et [illegible] in glo
[illegible] vel [illegible] non
[illegible] et [illegible]
[illegible] de cetero [illegible]
in glo [illegible] vel [illegible]
[illegible]
admittitur [illegible]
[illegible]
[illegible]
[illegible] vel [illegible]
[illegible]
[illegible] vel [illegible]
ut [illegible]
[illegible] alibi [illegible] sola [illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible] testimonium [illegible]
[illegible] debet [illegible]
[illegible] quod [illegible]
[illegible] et [illegible]
[illegible] et [illegible] quod [illegible] alter
[illegible] ut [illegible]
[illegible]
[illegible] quod [illegible]
[illegible] non [illegible]
[illegible]
[illegible] non [illegible] ad [illegible]
[illegible] non [illegible]
[illegible] in glo [illegible]
[illegible] ad
[illegible] ad [illegible] non [illegible]
[illegible] testes quod [illegible]
[illegible]
[illegible] non [illegible] admittitur [illegible] ad
[illegible] et [illegible] quod [illegible]

no [illegible] q[uod] [illegible]

non repell[itur] appellatione[m] [illegible] in tercio [illegible] quibus nisi [illegible] sit si agant ad domum [illegible] [illegible] tur non admittitur [illegible] esset [illegible] corr[illegible] singulis [illegible] Volo q[uod] attendas q[uod] [illegible] modo [illegible] caritatis [illegible] q[ui]s fraterne moneri ad finem [illegible] et [illegible] prelatos [illegible] facultate[m] puniendi et corrigendi si aut[em] [illegible] tur [illegible] caritatis ut [illegible] advocat[us] [illegible] q[ui]libet diligere deum plus q[uam] se [illegible] et p[ro]ximum [illegible] deum [illegible] caritas cum capitulo [illegible] peccatorem [illegible] mori cum ad [illegible] reducendo non diligit [illegible] et [illegible] de quo [illegible] de caritate [illegible]

Et [illegible] debet esse testes q[ui] de [illegible] de [illegible] cornuti [illegible] Tolle [illegible] vel [illegible] non admittitur quis [illegible] surgit [illegible] an [illegible] possit admitti in testem [illegible] unus civilis [illegible] ff [illegible] si alius [illegible] ff de iure fisci l[ege] de [illegible] q[uod] [illegible] deferetur [illegible] posuit [illegible] Canonici distinguunt inter [illegible] iudicem et negatorem alii dicunt [illegible] distinguunt [illegible] an ea sit [illegible] vel non ut [illegible] admittatur [illegible] non alii distinguunt an [illegible] quomodo [illegible] non ad mittatur vel non [illegible] ut [illegible] admittatur [illegible] testes [illegible] alterius [illegible] cum [illegible] non sit [illegible] ff [illegible] Praeterea [illegible] tolli [illegible] officium admittitur [illegible] non [illegible] de [illegible] vel [illegible] suscepit officium [illegible] officium [illegible] non testificatur [illegible] ut [illegible] et [illegible] ff [illegible] alia [illegible] possunt [illegible] advocati qui non [illegible] testificatur [illegible] potest [illegible] vel [illegible] non [illegible] qui [illegible] non possunt nisi [illegible] veritatem [illegible] testificatur [illegible] tractatus [illegible] tibi [illegible]

quomodo vel in quomodo [illegible] in teste [illegible] illi in quos si [illegible] tenetur [illegible] mandati [illegible] tur non admittitur [illegible] ut [illegible] distinguas utrum [illegible] quomodo vel in quomodo [illegible] volo [illegible] tenere [illegible] ad [illegible] et volo [illegible] tibi partes [illegible] de mandatis [illegible] non est ydoneus testis [illegible] tibi tradidit [illegible] non est non obligatus et sic [illegible] quomodo vel in quomodo [illegible] recipit quomodo vel in quomodo [illegible] testificari de [illegible] [illegible] detestari [illegible] et non [illegible] testificari [illegible] ff de iure fisci l[ege] deferre [illegible] ut [illegible] interrogatus [illegible] ut testis non ut [illegible] glo[ssa] [illegible] ff de testibus [illegible] In glo[ssa] [illegible] cognitio[n]e [illegible] et [illegible] non [illegible]

Capitulo [illegible] et [illegible] qui [illegible] non [illegible] in ea testificari [illegible] non [illegible] unus vel duo ut [illegible] tertius alter [illegible] et [illegible] testificatur ut [illegible] ydoneus testis in ea [illegible] ff [illegible] [illegible] qui [illegible] In [illegible] quare [illegible] prelatus [illegible] prelatus non [illegible] testificando in ea [illegible] ut [illegible] et [illegible] et [illegible] prelatus possit [illegible] de [illegible] tutore [illegible] non [illegible] testificari in ea pupilli ff de testibus l[ege] qui testamento [illegible] et ibi [illegible] ff de [illegible] qui tutelis [illegible] prelatus [illegible] tutor in bonis pupilli [illegible] et [illegible] de bo[no] matri [illegible] admittatur prelatus [illegible] tutor [illegible] non admittitur prelatus [illegible]

~~quando autem [illegible] quando [illegible]~~
~~si non~~ singulorum de corpore quia singuli ad
universitatem spectant in causa autem [illegible]
prelatus non potest esse testis et si causa ventila-
tur [illegible] ut not. hic Innocentius et [illegible]
in quo non repellitur quamvis si repellitur quia
cum concurrit a toto corpore eius in causa
quia per [illegible] officii dominus in prelatum et
[illegible] gerit [illegible] testificando
non potest [illegible] Innocentius quod si prelatus causam
exercuerit vel [illegible] dominus non potest
testificari in causa illa si [illegible] quod dicere
dominus potest testificari in causa [illegible] agitata
[illegible] Innocentius quod ubi prelatus exercerit causam
non poterunt singuli de capitulo testificari
hoc dicebat quia [illegible] videbatur sibi gratia
quod dicere dominus representat capitulum [illegible] ad
[illegible] quam sit concordat Innocentius et hoc
ut capitulo in sit [illegible] cum quo agit [illegible]
[illegible] admittemus capitulo hoc cum agitur causa
[illegible] ver[illegible] cum hoc de [illegible] cum
[illegible] in [illegible] quod [illegible] ubi
dicit [illegible] in [illegible] ubi [illegible] agens causam
sit concurrit a [illegible] a toto cor-
pore ego credo [illegible] hoc [illegible]
[illegible] bona [illegible] ad admissi-
[illegible] prelati non [illegible] dominus [illegible] de
[illegible] in [illegible] quod [illegible] de
causa [illegible] et ibi [illegible] repellitur a
testificando quia [illegible] admissio
[illegible] repellentur a testificando in causa
[illegible] quod [illegible] advente quod [illegible]
[illegible] causa [illegible] [illegible] capituli
et tunc dicere dominus vel yconomo [illegible]
[illegible] non admitteret quia causa propria
[illegible] et sic non admitteretur et etiam [illegible]
ff. etiam [illegible] ubi causa [illegible]
[illegible] communi capituli et capituli cum tunc causa
[illegible] admitteretur capitulo [illegible]
[illegible] et ut [illegible] potest de
[illegible] et aliquid nomine de [illegible]
[illegible] queritur ut [illegible]
[illegible] et singuli [illegible] et veritate
dicunt [illegible] poterunt [illegible] admitti in testes
[illegible] quia [illegible] dicit quod sit et
de ponit [illegible] in [illegible] pendatur

ut [illegible] ab [illegible] [illegible] videtur
[illegible] et ipse met dicit an patrie
testificari [illegible] quod non [illegible] contra
et sic non [illegible] dominus in [illegible] ubi
[illegible] quod non potest quod non sit gerere officium duorum
de [illegible] [illegible] capitulum offert
crimina [illegible] canonici poterunt
testificari [illegible] quod sit in [illegible]
[illegible] postulamus de electione [illegible] et
[illegible] consuevisse [illegible] in [illegible]
[illegible] etiam [illegible] an socii ad
mittantur ad testificandum super contractibus et aliis
[illegible] quod socii [illegible] non
admittuntur etiam [illegible] testes
in [illegible] ut si non [illegible] ut
[illegible] venditore [illegible]
[illegible] non [illegible] et
[illegible] ff. de
ap. l. ab executore [illegible] et l. [illegible] ff.
de re iudicata [illegible] quod legatarius ad
mittatur in causa testamenti [illegible] legi
[illegible] quia illa causa non [illegible] legatarii non [illegible]
[illegible] legatum [illegible]
[illegible] quia ubi [illegible] non
testamenti [illegible] admittitur [illegible]
[illegible] quia [illegible] non [illegible] resti-
tuit ff. [illegible] petere [illegible]
autem an socii admittantur in contractibus [illegible]
[illegible] quod [illegible]
in [illegible] testificari [illegible]
[illegible] glossa [illegible]
[illegible] alteri [illegible] glossa [illegible]
ut possit appellari ff. de ap. l. [illegible]
[illegible] glossa [illegible] non [illegible] appellari quod non potest
testificari [illegible] possit testificari [illegible]
[illegible] cum [illegible] possit appellari ff. de ap. l. non
[illegible] de [illegible] socii [illegible]
[illegible] quia [illegible] lucrum et
[illegible] ff. pro socio l. [illegible] autem sit socii
in [illegible] ut quia [illegible] eadem causa
defensionis quae [illegible] repellentur quia
[illegible] admittitur
[illegible] alia causa defensionis [illegible] admittitur
ff. de ap. l. [illegible] in [illegible]
[illegible] vendente [illegible]

vm q admittu ad testi[illegible] cur hac tolli [illegible]
[illegible] q nus admittitur [illegible]
[illegible] et [illegible] tollis [illegible] ubi
in quomodo vel quomodo [illegible] dicte vel in
dicte ad aliqu [illegible] vi [illegible] ¶ [illegible]
in ferias q [illegible] non admittitur q[uia] [illegible]
de [illegible] et [illegible] ¶ [illegible]
[illegible] termos ff [illegible]
[illegible] ubi in est firmum [illegible] admit
titur ad testi[illegible] ubi [illegible]
[illegible] glo[ssa] [illegible] ff [illegible]
[illegible] de [illegible] et [illegible]
[illegible] ff [illegible]
[illegible] ubi [illegible] firmum [illegible]
[illegible] et [illegible] firmum [illegible]
[illegible] alteri [illegible] aliter [illegible]
et [illegible] tollit [illegible] ff de
[illegible] de illo et [illegible] solum
[illegible] admittitur ad
[illegible] forte [illegible]
[illegible] legatarius [illegible] legatum [illegible]
[illegible] vel [illegible] ad
[illegible] legatum
[illegible] non admittitur [illegible] est [illegible]
[illegible] admittitur [illegible] petitur [illegible]
[illegible] non [illegible]
[illegible] ff de [illegible]
[illegible] est [illegible]
et [illegible] interesse [illegible]
[illegible] ff de [illegible]
[illegible] admittitur
[illegible] non [illegible] ¶ [illegible]
[illegible] et [illegible] non [illegible] de
[illegible] admittitur [illegible]
[illegible] non admittitur [illegible]
ubi [illegible] ad
[illegible] ¶ [illegible]
[illegible] et [illegible]
[illegible] hec [illegible]
[illegible] testes [illegible]
[illegible] testis [illegible] quo
[illegible] de [illegible] et in [illegible] ff
[illegible] et [illegible]
hac [illegible]

non [illegible] unum teste[m] [illegible] alteri
et ipse testificet[ur] et [illegible] remanet
[illegible] non [illegible]
[illegible] vel non [illegible] ¶ [illegible] ut
in [illegible] [illegible]

Cap[itulum] [illegible] testes
[illegible] testium

[illegible] excepciones
[illegible] testes differri [illegible]
[illegible]
[illegible] narrat [illegible]
[illegible] narrat form[am]
[illegible] narrat [illegible]
[illegible]
[illegible]
[illegible] agere
[illegible] non [illegible]
[illegible] de testibus [illegible]
[illegible] de [illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible]
[illegible] et [illegible] ad [illegible]
vel [illegible] alteras [illegible]
[illegible] alternative interpo[illegible]
[illegible] crimine [illegible]
latrones [illegible] fames [illegible]
[illegible] et [illegible] ff
de [illegible] testes
[illegible]
[illegible] et [illegible]
[illegible] vero
[illegible] de quo[illegible]
[illegible] affirmatorius [illegible]
[illegible] de [illegible] vero
hac [illegible] et [illegible]
[illegible] alius [illegible]
et [illegible] non [illegible]
[illegible]
¶ [illegible] aliquos [illegible]
[illegible] de crimine [illegible]
[illegible] non [illegible]
[illegible] ad
[illegible] ¶ [illegible]
[illegible] non [illegible]
[illegible] et [illegible]
non [illegible]
[illegible] de [illegible]

nemo[?] q quia la.. ... ...
... ... qr no e ... ...
... q° et accu° uel dic q age
... ... admittitur
... uel dic q erat ... ...
... ... damnapuo ... ...
... ... de crimine ... et q
... alegabat ... ... et c ...
... ... e ... ...
... ... defensoris ... ... puberes
... ff de noui ... ...
... ... et
... ...
... ... ad ... ...
... ad agendu no admitt... ...
... q. accu e ... ...

... ... appellat ... ut glo ...
app° no ualet ... appello ... ...
... testes qr ... ...
... ... et ... ...
capitale ... ... et ... ...
... ... admitti
... an testium receptioni ut ... ...
... ... app ... ...
... ... aliquos testium qr
negat ... ... aliquos testium qr
... ... no ... ...
... ... lex ... ...
... ... app° ...
... et ... mandat ... ...
ueritate ... appellans ... ...
... ... absente no
... ... ff ... ...
... ... remedium appellationis ... ...

c fuctus oppo sue de of del i lis quo
pt defendere i dictu ff de of pro q pt epus
adam de of del quitti aliq no pt
nisi spalr mandat ut hic hoc explicabit
s. de of q illoz et exploratus c totus pro
In hac tuo pte tria puncta facta q ora
tangit glosa et i c ptia ab ibi eo c capitulum
desperatis s. dicere q s. decet q ad legitime
appellatione primum mandatum c clarum ps s. no
appellatur uel male appellatur adeo debet iudices
de ea cognoscere q ppter debuit mandare
puctum rata hoc et hoc est talget glosa pro
metu huius quo i surgit ex i textu et
duo pt glosa tres pro hui pbi duo hos
et alias tetigi i textu aliq n i telligitur
q appellatione ad a sua diffinitiva q tunc
nullum esse dicitur sn appellatur a denegatione ex
ceptionis et appellatur est a sua prinaltons q
procedit ff tulit ut pus appellatio et ia ppter mandat
q s. i ipse iudicis debeat rationi sua qi
vero no appellatur legitime debet cognoscere de
utrisque pme iudicis ab appellatione sc inter
locutoria a sua hoc fuit opposit glosa de c
dicentes de iure n ubi s. appellatur a diffinitiva
sua et iudex a quo nichilominus exequatur
debet exercere an alia retractari ut hic
no fecit ppter et io dicit glosa q hic no fuit
appellatum a diffinitiva et resp ipse i textu
i textu c glosa ut dicatur alii s. s. testes
no erant thes q alios ipse dicebat s. sua
fuit lata q ipsum s. hac hoc q s. no ap
pellasset legitime debuisset ad ipos iudices re
mitti s. de ap ut debitus s. glosa q vult q
ppter quod fecit ipos iudices q hic pt ee hoc
s. c quidam dicunt aliq c i textu est q
testes no erat thes et sua lata fuit q
s. hac est ptum ut dicit glosa q tunc ppter mandasset
suam confirmandam q hic fuisset ptesta.
In dicit alii s. q sua no fuit lata uel q
testes no erat thes [illegible] capio capio dude
leuiras pma alia q no c lata sua s. testes
erant thes q tunc iudices pcedat i
negotio principali quoniam ad hoc appellatur ad
iudice et legitime et io iudices appellationis cognoscerent
de negotio principali q no erat finitum q no

ente lata sua uel testes no erat thes
s. tunc stat quum q s. no erat thes male
appellatur et io uel sua debuit confirmari
uel ille remitti et metu huius quo
dicit pro q ipse appellationis iustificauit appellatione
ex alia ca q forte no erat hoc q
fuisset silue procedit uel q hoc
factum est qo de mere eius q
appellatione iustificatur ex alia ca qo ex
ipsa ego no gerere hoc i textu
q mitte c q i hac ca appellationis ex
principali ca et legitimis s. de appellationibus
et c ut debitus nt pt appellatione ex alia
ca iustificari ut i c e appellationis c cu.
Secundum pro tercium i textum ut dicatur
uel aliter s. q testes no sunt thes
et sua ex alia ca i igitur qo sua
perit et restitutionem iudicii q ab ipsis
ex eo pli et per hoc hic hoc possit
ee hoc s. c dicunt n exequitur
ca sudamus restituatur s. s. ca iusta
ca ap hoc dat alia i textum notam
reuolutio ut dicatur mandatus qui
epus ubi ipsos deinde legatur ubi causa
audiatur et fine debito terminetur
deinde reuelatur ubi corpus suus ipse
ipse i textus nimis exorbitat et poterat
hoc solum ad cuius ubi tormentis sub dubio
de et prima suam confirmetis aliq
c i textu hoc est alii s. s. testes thes
no fuerunt tunc iudices delegati
detulerunt appellationi et sic no fuit missio
dato q appellatio no teneat Alter i textus
ponit i alia s. s. q iustificetur ex
alia ca appellatio qua ipse q pro eo et ibi
appellationi de ap A libus i textus c dicitur
s. dicatur aliter s. s. testes erat
thes et lata no erat sua diffinitiva q
appellatio erat legitima et cognoscit et q
det i principali q no dum erat finitum
negotium et sic s. esset lata q sua po
tuisset ee nulla tribus de causis q lata
pendente appellatione legitima s. de ap no solum
hoc q lata contra absente

non gravare. non gravarem ... tex. quod littera quod
ministrandas testes contra quos tamen excipit
Angelus in fi. ... hoc facit quod iter
est rei publice [illegible] plus de [illegible]
tam equiparatur [illegible] hoc facit [illegible]
et [illegible] lites in [illegible] agendo tam
cum [illegible] sequitur quod [illegible] interesse quod
[illegible] actio [illegible] in [illegible]
quod sibi debetur in futura de [illegible]
[illegible] non potest licet possit [illegible]
testificari vel [illegible] cum agit
[illegible] et [illegible]
[illegible] ad [illegible]
non potest [illegible] ad hec [illegible] quod non fuit [illegible]
[illegible] Angelus [illegible] hoc est [illegible]
[illegible]

[illegible] admitterentur [illegible]
in [illegible] tempore publicationis testium nisi mora
afferat [illegible] ut quod testes [illegible] quos [illegible]
[illegible] in [illegible] vel necessarii [illegible]
[illegible] et [illegible] et hoc [illegible]
[illegible] ut videat testes [illegible] et
[illegible] non admittet
[illegible] non offert
[illegible] differri [illegible] tempus publicationis et [illegible]
[illegible] offerri [illegible] quod in arbitrio
[illegible]
[illegible]
[illegible] Angelus [illegible]
[illegible]

interposita li(tte)ra i(n) d(e)scripto. Ex tenore quod meus
glo(sa) que finalis dicitur intelligi processus inter-
medijs que similiter contra [illegible] plus quod [illegible]
terra [illegible] ut c. non solum [illegible] hoc
supplicatur ad litteram contestatio et constat quos
non fuit admissa quod cum se obtulit [illegible]
dicebat quod ipse [illegible] i(n) [illegible] et re-
[illegible] alio hoc dicit quod non dicit [illegible]
[illegible] interposita quod [illegible] auto-
ris decretalium [illegible] quod si [illegible]
quod non est admissa [illegible] non [illegible]
non est admissa quod non [illegible]
[illegible] non admissa dicit quod
[illegible] testes et offert quod si iudex
non admittit [illegible] et
non admittendo [illegible] non
[illegible] oblatio [illegible] i(n) alio
[illegible] et [illegible] testes [illegible] et
[illegible] iudex non admittebat
offert [illegible] et [illegible] oblatio
[illegible] non [illegible] non [illegible]
[illegible] iudex [illegible]
quod [illegible] cognosceret de nego(tio) [illegible]
nego(tio) erit [illegible] quod si fuit [illegible]
[illegible] non offert [illegible]
[illegible] notoria et [illegible]
[illegible] ut [illegible] non [illegible]
ii si non est notoria [illegible] ut c. [illegible]
[illegible] glo(sa) et [illegible]
ut [illegible] alia [illegible] qui dicit quod [illegible]
[illegible] quod non [illegible] alia [illegible]
[illegible] alia
[illegible] alia
[illegible]
[illegible]
[illegible] iudex [illegible]
[illegible] iudex non [illegible]
quod offerebat [illegible] non [illegible] non
[illegible] quas poterat offerre
alia [illegible] quod [illegible]
non obtulit alia quod [illegible]
et [illegible]
[illegible] legitime [illegible] receptos
vel non [illegible] interpo-
sita [illegible]
[illegible] iudex [illegible] ad

testes qui ad [illegible] non [illegible]
et [illegible] hoc c. [illegible] Valeat [illegible]
[illegible] ut [illegible] non [illegible]
[illegible] loco tabellionis vel tabellionem [illegible]
hoc loco [illegible] ut [illegible]
hoc [illegible] et [illegible]
[illegible] ut [illegible]
[illegible] de [illegible] testes produce-
re volenti testes non [illegible]
quod non [illegible] testes quod [illegible]
[illegible] ordinarius de [illegible]
[illegible] qui [illegible] quod [illegible]
de [illegible] ubi xii q. ii
[illegible] de [illegible]
[illegible] testes [illegible]
[illegible] debilis [illegible]
[illegible] testes
[illegible] iudex [illegible]
[illegible] non quod [illegible]
testium receptio [illegible] et hoc
et [illegible] non [illegible] de [illegible]
hoc [illegible] iudex [illegible]
ad [illegible] quod ille non [illegible]
quod [illegible] ut [illegible]
[illegible] et hoc [illegible]
et [illegible] de [illegible]
aut ad [illegible] non [illegible]
[illegible] ut [illegible]
[illegible] potius [illegible]
receptio testium [illegible] quas de
[illegible] non [illegible]
de [illegible] fiet [illegible]
[illegible] et testes [illegible]
aliquis quod [illegible] interroga-
toriis et [illegible] testibus [illegible]
[illegible] receptione [illegible]
et [illegible] de [illegible]
[illegible] receptor
testes [illegible] auctoritate
legati [illegible] testis [illegible]
[illegible] et [illegible]
[illegible] quod [illegible]
[illegible]
quod [illegible] non debet [illegible]
si quis [illegible]
testes [illegible]
[illegible] poterat [illegible]

fieri ultra duas dyetas non credat corrum-
pte ... de ipsis ... hoc facit quod not.
... [illegible] ... et quod no-
de re iudi. cum bertol. ¶ Secundo si plus
nominis requirit et sciebat dictum testem ...
quod teste de facto qui negat se ... depo-
suisse et notorium ... [illegible]
... [illegible] ... non stabitur notorio
... [illegible] ... testibus ... adducta ... [illegible]
... [illegible] ... ¶ Inimici [illegible]
... [illegible] ... et [illegible]
... [illegible] ... tenet quod non si [illegible]
... [illegible] ... et hoc [illegible]
... [illegible] ... equitas [illegible]
... [illegible] ... et [illegible] laboris
... [illegible] ... ¶ Singulis [illegible]
... [illegible] ... et ad eos qui [illegible]
... [illegible] ... quod non
... [illegible] ... et not.
... [illegible]

Capitulo corrupti et [illegible]

... ad testimonium non debet admitti [illegible]
... [illegible] ...
... [illegible] ...
... [illegible] ... testibus [illegible]
... [illegible] ... admitti [illegible]
... [illegible] ... ¶ [illegible] de notis [illegible]
... [illegible] ... corruptionis [illegible]
non admitti [illegible]
... [illegible] ... corruptos [illegible]
... [illegible] ... testibus
... [illegible] ...
... [illegible] ... non [illegible]
testes sint corrupti [illegible]
... [illegible] ... corruptis [illegible]
... [illegible] ...
... [illegible] ... corrupti [illegible]
... [illegible] ... corrupti [illegible]
... [illegible] ... et [illegible]
... [illegible] ... corruptis et [illegible]
... [illegible] ... et [illegible]

... [illegible] ... equitas [illegible]
... [illegible] ...
... [illegible] ... attestationes
admittitur ... [illegible] ... corruptionis quod corrupti
... [illegible] ...
... [illegible] ...
... [illegible] ... corruptionis
... [illegible] ... admittitur ... [illegible]
... [illegible] ...
... [illegible] ...
non [illegible] ... et [illegible]
... [illegible] ... de re iudi.
tenor [illegible] et [illegible]
... [illegible] ... et [illegible]
... [illegible] ...
... [illegible] ... non
... [illegible] ...
... [illegible] ... de re iudi. [illegible]
et [illegible] ¶ [illegible] testes [illegible]
... [illegible] ... non [illegible]
... [illegible] ...
... [illegible] ... non [illegible]
... [illegible] ... et [illegible]
... [illegible] ... testimonium ¶ [illegible]
... [illegible] ... et [illegible]
... [illegible] ... et [illegible]
... [illegible] ...
... [illegible] ...
... [illegible] ...
... [illegible] ...
... [illegible] ... ¶ [illegible]
... [illegible] ...
... [illegible] ...
... [illegible] ...
... [illegible] ... testes [illegible]
... [illegible] ... ¶ [illegible]
... [illegible] ...
... [illegible] ... testes ... et
... [illegible] ... testes [illegible]
... [illegible] ...
... [illegible] ...
... [illegible] ...
... [illegible] ...
de fraude de [illegible] ... ¶ [illegible]
... [illegible] ...
... [illegible] ...
[illegible] crimine

et muneris non testificatur est in cri
mine s[imi]l[ite]r et si q[ui]s petat partem p[ro]bet
q[uod] illum eo audit et eu[n]d[em] videt p[er] tres
[illegible] ad quos spectabat pu[n]ctatio s[ed] de
[illegible] q[ui]dam q[uod] bus[...] forte p[ro]p[ter] dicta de q[ua]
s[e] querere[n]t h[oc] q[uo]modo forte decebat
p[ro]bi[...] suam non habere q[ui]a i[n] crimine
h[ab]et testificari possit forte et ut confirmat
eo[rum] optimum s[ed] credendum d[icitu]r ad q[uo]d s[...]
h[oc] fuit aliq[ui]s [illegible] [illegible] s[imi]l[ite]r
crimi[n]is et muneres i[n] teste no[n] ad
mitti q[ui]a [...] mediatores l[egitim]i Ite[m]
q[uo]d de[m] eius de[m] [...] grav[...] i[n] [...]
gl[ossa] [illegible] ap[ud] [...] de e[...] de ceteris [...] d[icitu]r
[...] et q[uod] de [...] c[...] [...] q[ue] d[icitu]r [...]
vel [...] s[...] fuit [...] ubi [...] et
[...] d[...] [...] ut [...]
i[n] glo[ssa] [illegible] glo[ssa] ubi [...] s[ed] [...] et
[...] [...] [...] i[n] h[oc] [...] de s[...] [...]
Et i[n] [...] de q[uo] [...] no[n] e[st] [...]
[...] s[ed] forte glo[ssa] [...] possit i[n]telligi
q[uo]d ad [...] [illegible] glo[ssa] [...] d[icitu]r
fama cu[m] uno teste p[ro]b[...] i[n] [...]
q[uo]d i[n] p[...]e fama glo[ssa] [...] aliqui
[...] d[icitu]r q[uo]d fama p[ro]p[ter] p[ro]bat [...] glo[ssa]
i[n] l[ege] [...] ff. de [...] [...]
et l[ege] [...] de [...] et l[ege] [...] de [...]
[...] d[icitu]r glo[ssa] q[uo]d [...] [...]
[...] ff. de [...] l[ege] [...]
[...] et l[ege] i[n] [...] [...] et l[ege] [...]
[...] ff. de testi[bus] et [...] ff. de [...]
[...] l[ege] [...] et [...] i[n] c[...] de [...] [...]
q[uo]d fama [...] q[ua]n[do] [...] [...] admittat
[...] s[ed] [...] [...] [...] [...] [...]
fama [...] [...] [...] [...]
[...] d[icitu]r q[uo]d fama et [...] testis no[n] faciunt
plenam fidem q[ui]a fama no[n] [...] [...]
q[uo]d admittit [...] [...] [...] [...] ut
[...] [...] [...] i[n] l[ege] [...] ff. de [...] [...]
fama cu[m] uno teste faciet plenam fidem no[n] i[n]
crimi[n]ib[us] [...] [...] q[uo]d [...] [...]
i[n] q[ui]b[us] sufficeret fama [...] [...] [...] veritate
et i[n] [...] sufficit [...] [...] fame ut l[ege] bar
bari[us] ff. de of[ficio] p[raeto]r[um] et l[ege] i [...] de testi[bus] et
l[ege] [...] ff. de [...] [...] [...] [...]
i[n] q[ui]b[us] fama et [...] [...] [...]
[...] et [...] est sufficit [...] [...] fame

ut l[ege] i [...] ff. de fluminib[us] et l[ege] labeo
ff. de suppel[lectile] legat[a] l[ege] cu[m] de lanionis [...] asina
ff. de fu[ndo] i[n]str[uc]to et i[n]str[umen]to legato quod
[...] [...] fama seu [...] [...] no[n] [...]
veritate et tunc s[ed] fama i[n] [...] [...]
sola [...] [...] no[n] e[st] [...] [...] [...]
ut l[ege] decurionum C. de [...] et c[...] opus
[...] de [...] [...] [...] no[n] p[ro]bet [...] [...]
[...] [...] fama trahit originem
[...] [...] [...] [...] [...]
[...] et [...] i[n] [...] [...] fit
plenam fidem s[ed] i[n] [...] glo[ssa] i[n] l[ege] [...]
C. de [...] et [...] i[n] l[ege] [...]
ff. [...] [...] [...] [...] [...]
[...] i[n] [...] s[ed] i[n] [...] fama [...]
[...] [...] [...] q[uo]d [...] [...]
[...] [...] [...] [...] de
[...] [...] et [...] [...] [...] [...]
de [...] [...] i[n] [...] [...] no[n]
[...] [...] q[ui]a [...] [...] [...]
[...] ut l[ege] [...] C. de [...] et [...]
[...] [...] [...] [...] [...]
[...] [illegible] [...] [...] cu[m] uno teste
p[ro]bet debet [...] illa [...] et
[...] [...] a q[ui]b[us] originem [...] q[ui]a
posset e[ss]e [...] et [...] [...]
[...] et [...] s[ed] i[n] [...] glo[ssa] i[n] l[ege] [...] ff.
de [...] [...] et l[ege] [...] ff. de testi[bus]
[...] [illegible] glo[ssa] [...] [...]
de [...] [...] ut [...] [...] de [...]
[...] de [...] i[n] [...] [...] [...] [...]
q[uo]d ipse no[n] erat [...] de crimine et
iste [...] ut [...] [...] [...] d[icitu]r [...]
ut i[n] [...] mediatores [...] et [...] [...]
[...] [...] [...]

[...] [...] i[n] alio [...] [...] [...]
testes [...] [...] [...] [...]
q[ui]a forte [...] vel [...] [...]
[...] d[icitu]r no[n] [...] [...] [...]
[...] q[uo]d i[n] [...] [illegible] [...] [...] [...] [...]
[...] [...] i[n] alio [...] [...] [...] [...]
[...] [...] e[ss]e [...] [...] ut [...]
[...] vel [...] [...] [...] [...] et [...]
[...] [...] et [...] [...] [...] [...]
[...] de [...] [...] et [...] [...]
[...] d[icitu]r [...] [...] [...] i[n] [...] [...]
q[uo]d ad [...] [...] [...] [...]
[...] [...] [...] et [...] et [...]

si causa non peruenit in statum lapsu triennij de iudi. c. pte. alia tamen res pretor. in qua fit petitio actionis absolute de iudi. pendi mata sunt quo ad effectum quia non tendit ad dilationem ad eam desertionem ut plenius quia hic sup. quod sit in terminis perpetuis uel probata cum inspecto perpetua uel res litigiosa effectum quia ipsi effectus interesse proprio dicuntur ut l. cum notissimi C. de prescrip. xxx uel xl. annorum et ff. si l. de annali except. Si autem loquitur de desertionis dat quod de testibus et tunc aut non erant publicati et si de are non habet probatione per quod ff. c. albertus si de et consequens poterit tamen peti publicari et c. consequens publicati et tunc aut est uidere in erant publicati et conuali et in disputo probat ff. in confesso ad ciuili et de quibus probat. in confessio nis pones et alia que non erant causa dudum in cognito pro corp. eisdem iudicibus C. de arbi. l. cum anni et cum agit adeo uel est ad aliud pendens expressio ut si acceptaciones sunt de matrimonio quod sunt in ea lege ff. c. albertus Sed licet Dicitur quod habet quoad ad perpetuatione et non ad pos. sic uo agitur ad in pone pones non quod tamen quia et habuit sup. primo agendi non probant in alio ff. c. sicut secundo si addit et accessorie primite cum decens si addit et accessorie primite exceptionis non agendi ut habet in ob C. de iudi. l. properandum quod ubi dicitur quod si pro absolutione ab in statu quod actum peruenit quia tenetur ab in statu quod actum peruenit de actis ordinariis que oriuntur in iudicio sunt in desertionis uberes quod licet pene sunt in desertionis uberes quod ubi sunt habere acta primi iudicij in primo cum ubi sunt acta hic non quod ita sic pro deseruit litis gestis in primo iudicio et aliud factum properans dicitur ut hic non gestum quam et habet hic agi licet non sola inter caput pro in uo et in heredes corporum ut not. in A. c. cum in tantum aut corp. arbitris et tunc sit capite ptracta ff. c. aut corp. si arbitri a tare et tunc patet si pulchra sit forma in hoc et non in criminali. Uero si testes erant publicati ad solum tunc probant ff. de bonorum rap. l. i. et ij si ad quod dispensacio non est in tempore et in ob nego proditione ff. de quon tamen ubi non patent in alia iustitia.

testibus deponentibus quia plus habet liberos ut quo capitur a curia quia liberi possunt esse mortui de confessionis ad et in scri. ad quod ff. probant quod omnia in c. ad in tercio capite pro sunt inter alias Tamen tollit rationem quia ubi res iudi. cata alias prodest uel preiudicat hoc est sicut hic actio et quibus alius preiudicet dicit de re iudi. c. pte. Et nunc publicantur testationes si peruenit in statum uel absolutionem reus apter in capite petitionis in statu quod tantum poterit testes probandi sup. capite et plus habet quod sit confirmatur ff. quod in et verb. de nouo habet hoc tenetur in elc. testibus ff. c. de nouo hoc non credo procedere de iure nisi licet si hoc non credo procedere de iure licet actio desertio inter uenerit in statum tamen dicit acta desertio inter capite pro quod attestaciones non licebit per publicacionem producere cum subsit quando timor subornationis

Non sufficitur iuri in hac quia dicitur alia

super relatio est ut si dicitur primi in famosis uel hue ptes. sibi granum in illi de causa admittuntur in testes in causa dicitur quod sit ubi producitur ad testificandum de hoc quod agitur in capite ut ff. c. decens si sit sup. alius aut agit causa uel agitur quod sunt alius aut agit causa uel agitur quod sunt et tunc si ciuiliter aut criminaliter prima causa aut sit taliter quod modicum uertit applicandum clericos ut sigillo ut quia agitur de suspensione ut eius et tunc admittuntur dicitur in sup. aut quod modum habet applicandum puglio tunc quod modum habet applicandum sigillum tunc et tunc repelluntur ff. in ff. quod puglio et tunc repelluntur quod sunt in ff. quod puglio bene uersus non admittuntur cum tangitur de pascuis uel nemoribus quod sigillo liquid patiuntur uel corpore bene presentatur si aut agitur criminaliter tunc alia causa accusare plerum uel clericum et admittuntur alium quod peractum aptum uel quod domestici melius nouerunt criminalis ff. de accusationibus melius nouerunt criminalis et tunc est admittunt alium accusare domini et apparet ut dicitur si collegium esset modicum et exclusi ut dicitur uel tres quod tunc illa de corpore generis uel tres quod tunc de corpore genus uel domesticorum pubnam cohabitacionum uel domesticorum et hic habet quod dicit de e quocies et tunc sup. ubi describitur aliquam quod autem matrimonij

Crimine nunc pronun

repellit teste et est de illo crimine
non despicit Vero dico in alio vniuersi opponit
et probat ut C. n. primum sufficeret q. de
confessione cum supra et si potest per quos nescire
etiam nunc per modum exceptionis . Item
quod criminosi a testimonio repellantur . In q. s.
tractato quod confessus pro quibusdam n. q. a. c.
A. [illegible] nichil operatur quia teste io.
not. in q. eo. attendendum quod [illegible] in quem
et expresso repellere criminosum ad [illegible]
[illegible] et io in q. eo. [illegible] ibi tamen [illegible]
[illegible] quod n. ob. c. gestum de [illegible] quod aliud
est in [illegible] ubi singulare debet iudicare
officium et hoc credo verius cum hic agatur
[illegible] cum sale [illegible] non [illegible]
intendi officium non petenti ff de [illegible]
fit [illegible] confesso et p. de [illegible] ad
[illegible] Item [illegible] [illegible] in ter
rogare parte an testis quem producat sit
in famis vel criminosus et hoc [illegible]
confessus [illegible] quod sit [illegible] collige [illegible]
quod ad [illegible] superflua ponere non [illegible]
[illegible] non [illegible] de [illegible]
[illegible] adverse [illegible] debeat fidem facere
q. C. [illegible] ca. n. est testis de hoc
tamen [illegible] Angli v. [illegible] legere no
legis sunt quod testes reputantur [illegible]
[illegible] deposicionis si [illegible] [illegible]
testis criminosi cum ad [illegible] ferat
[illegible] et sic [illegible] sufficere sola crimine
[illegible] de ceteris [illegible]

Laycus in crimine non testifi
catur quod clericum accusat tamen
[illegible] vel prosequi in iniuria et si [illegible]
[illegible] a qua [illegible] excipit ubi [illegible] et exceptionem
determinat [illegible] testimonium [illegible]
testimonium est ydoneum [illegible] [illegible]
accusationem quare a testimonio repellantur quod
ad accusationem admittatur [illegible] non [illegible]
[illegible] quod propter accusationem solam non [illegible]
[illegible] propter testimonium [illegible]
[illegible] [illegible] Item [illegible] quod [illegible]
ad accusationem clericorum repellantur [illegible]
[illegible] et [illegible] illam [illegible] vel [illegible]
[illegible] admittuntur [illegible]
[illegible] vel prosequi in iniuria [illegible]
[illegible] de [illegible] tertio [illegible] illud

[illegible] cum de crimine [illegible] agatur [illegible]

Productis testibus [illegible]
[illegible] [illegible] ibi
et supra [illegible] quem in foro ecclesiastico agitur
et [illegible] civilis quam agitur in foro
civili vel ecclesiastico [illegible] tam civilis
criminalis vel [illegible] quibus agitur
productio ut significatur [illegible] ff de
[illegible] ut [illegible] quis colligit
testes quos sit et [illegible] et
illa [illegible] producto sit [illegible] et tertia
[illegible] et [illegible] sufficit illas [illegible]
[illegible] non [illegible] et producto [illegible]
illos [illegible] [illegible] [illegible]
[illegible] et [illegible]
[illegible] testes
aut quos [illegible] et
[illegible] [illegible] [illegible]
[illegible] [illegible]
tres productiones [illegible] tertia non [illegible]
quarta [illegible] de qua hic et [illegible]
tamen producere non novos [illegible] antiquos [illegible]
[illegible] et [illegible] in prima et in [illegible]
produxit aliquos testes [illegible] non
produxit [illegible] [illegible]
[illegible] publicata tamen [illegible]
quod [illegible] et refert [illegible] quod [illegible]
[illegible] [illegible]
non [illegible] quarta [illegible] [illegible]
[illegible] [illegible]
[illegible] non appellatur [illegible] [illegible]
[illegible] quod [illegible] et appellatur
[illegible] [illegible] et est [illegible]
dari quartam [illegible] et [illegible]
[illegible] et [illegible] testium
[illegible] [illegible] ut [illegible]
[illegible] debet [illegible] [illegible] ut in q.
quod vero [illegible] [illegible]
[illegible] vero [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible]
et [illegible] et [illegible] testium
non [illegible] [illegible] [illegible]
quod [illegible] non [illegible] quod illic
[illegible] non fecit [illegible] vel [illegible]
[illegible] [illegible] testium
[illegible] ut [illegible] [illegible]

to dicit stari opinioni legis contra non recipi s.
super nouis hic non procedit quia lex ibi loquens generaliter generaliter debet intelligi de quibus
lex loquitur quamvis dominum ipsorum in facto generalem s. quia aliud
in actore aliud in reo nam licet actori non
liceat in causa appellationis nouum producere
de re nulli. alibi licet et ff de ulti. non pet.
ff de pig. ac l. si rem hic tamen licet reo qui
in causa appellationis pacto exceptionem pet de pacto de non
petendo facto lite pendente et e ro [illegible]
vel oppareretur ex uno aliud cum non possit in
alio iudicio exceptio agere quia sibi competit
sola exceptio q. est nomen non uinam si pri.
[illegible] debere effectu referri s.
si actor pertinebat petere nouum vel in alio
iudicio nouitur agendo deducere. Alii dicunt
quod nouum capitulum dicitur si nouam rem petiturus
suspenderam in prima instantia a primi in causa appellationis
petere bonum quod est [illegible] quia reo in stante actor
tur petenti in tali lege ad differentiam prosequi
C. quod et qui [illegible] aut est et non de
eo et gen. Alii dicunt quod plures dici
quod cum de nouo in iudicium deducto ob
stare res prius iudicata nouum cum non
obstante [illegible] in reo de e. cu. [illegible]
fide in prima [illegible] excepto ut res
iudicatur in causa appellationis probare nouum capitulum
s. [illegible] fuisse vel sciam q.
[illegible] de re non tradendo uelut [illegible]
se exceptionis alibi se genere [illegible]
[illegible] in causa appellationis probare [illegible]
res diffusa quod debet [illegible] ut ff de
[illegible] c. si res que [illegible]
vel cum actor dicit se [illegible] differentie
[illegible] amicum [illegible]
[illegible] in causa appellationis probare ipsum maiore [illegible]
[illegible] ff. si ma. [illegible]
Ex[illegible] in actore debitor re pignoratiui
[illegible] creditori pignoratiui alteri [illegible]
in [illegible] obligatione [illegible] creditor [illegible]
[illegible] nouatione [illegible] quod alter [illegible] in
causa appellationis probare [illegible] obligatione et [illegible]
ff. q. [illegible] creditor in prima [illegible]
in causa appellationis probare actor [illegible]
[illegible] fieri debuisse in prima [illegible] C. qui [illegible]
non e [illegible] actor petens de
[illegible] in prima in causa appellationis probare

Appellatio quod primum et apertum q. de primo [illegible]
[illegible] et ab et ad [illegible]
in prima [illegible] et [illegible] in [illegible] et quod [illegible]
[illegible] aliud aut Concludas quod q.
super nouis articulis [illegible] dependente
in causa appellationis testes noui et ueteres et
noui producantur ut hic et in c. cum testibus
et in super eis nouis s. non dependentes [illegible]
licet super quo tamen [illegible] quod [illegible]
fuit [illegible] quod [illegible] intelligatur in
appellationis [illegible] super [illegible]
[illegible] pendeat prima [illegible] non licet [illegible] post
publicationem nisi super nouis [illegible] appellatur
a diffinitiva quia tunc finita est prima [illegible] hic
[illegible] quia [illegible] dicit [illegible] s. quia
si appellatur [illegible] articulos appellationis
[illegible] cum appellatur a diffinitiva
quia tunc [illegible] prima [illegible]
[illegible]. Alia fuit albertini qui
[illegible] in prima [illegible]
in causa appellationis ut in prima possunt noui
uel ueteres produci ut super nouis ut
super ueteribus [illegible] ut in aut.
de testi. [illegible] nouos et ueteres
in prima produci possent noui et ueteres
[illegible] intelligit [illegible] C. de ap.
et [illegible] ibi lex pro [illegible]
C. de [illegible] admonitum
[illegible] appellationis [illegible]
[illegible] dicit
[illegible]
[illegible] nouus [illegible]
[illegible] et [illegible]
[illegible] prima [illegible]
[illegible] in [illegible] prima
[illegible] lege [illegible]
[illegible] et
[illegible] non prima in [illegible] ut cum
[illegible] prima [illegible] et noui
[illegible] loquitur de parte
[illegible] nouis [illegible] et non [illegible]
et tunc [illegible] de nouis [illegible]
rei et [illegible] in causa appellationis [illegible]
[illegible]
[illegible] appellationis [illegible] de [illegible]
[illegible] in causa appellationis
[illegible] in causa appellationis [illegible] rei [illegible]

[illegible]

[illegible]

Aliud est dependens aliud in capitulo in principio [illegible] sunt. cum Johannes, in licet conditio dependeat ex conditione et ex ipsa oriatur non tamen sub ipsa includitur immo est de natura contractus illius ymmo quod ut plurimum sunt verbales non conditionales. Sed hic opponis quod videtur idem, in allegatione tamen non dicit productiones requirit titulum de possessione [illegible] expressius testes viderit ipsum in quinque titulum super illo interrogabit et non. Sed pro ulterius quod ex hoc sequitur quod non possit [illegible] quod probabit possessionem vel matrimonium [illegible] ipsius prius titulo possessionem quod si non probavit [illegible] ipsum [illegible] allegans [illegible] vel possessione si non invenitur non arctatur ad probandam causam dicebat etiam dominus Io[hannes] quod dicam aliorum verba [illegible] articulatur super possessione [illegible] super [illegible] possessione cum sint diversa non possessio titulum requirat. [illegible] si quis duxit testes super conditione qui deposuerunt super conditione non tamen [illegible] publicationem [illegible] producere poterit alios super conditione. Dico sic et hoc quod sit quod non fuerat super illo inducti nec [illegible] aliqui [illegible] debuerant [illegible] subornationis [illegible] capitulo [illegible] super illo quod [illegible] et in [illegible] qui non plene probavit. Queritur [illegible] exceptionem [illegible] vel [illegible] appellationum et [illegible] appellationis [illegible] publicationem [illegible] numquam possit dici quod non quod idem est cum [illegible] licet in [illegible] ubi in principio producti sunt testes qui non [illegible] si non producti vel producti et probasset [illegible] quod [illegible] probat se [illegible] i.e. valens. Et qui probat [illegible] valere [illegible] probet [illegible] i.e. cum est [illegible]. Queritur ulterius quare dicitur quod sit [illegible] sub [illegible] corrumpi et subornari [illegible] et i.e. exteriore [illegible] interrogationes et [illegible] quo differunt testes super illis possunt testes instruere et ipsos subornare [illegible] testes [illegible] duas voces [illegible] quod videns se non probasse [illegible] ad subornandum [illegible] possit testes [illegible] producere [illegible] primos et tertium [illegible] ad hoc i.e. licet.

[illegible] dicis est [illegible] in [illegible] quod numquam possunt recipi [illegible] in [illegible] et materiali i.e. cum [illegible] ubi de hoc [illegible] ubi perit in [illegible] apparet in [illegible] de [illegible] vel qui sunt [illegible] testium [illegible] et cum [illegible] inter alias [illegible] i.e. [illegible] vel cum [illegible] modus [illegible] i.e. [illegible] media cum [illegible] vel [illegible] restituitur de [illegible] ubi de hoc [illegible] et cum clamor i.e. [illegible] cum allegatur [illegible] corruptione [illegible] ubi de hoc [illegible] si fuit publicatio in [illegible] ut [illegible] in [illegible] et [illegible] i.e. et in [illegible] notus [illegible] cum [illegible] glo[ssa] [illegible] ubi [illegible]. Ulterius quare [illegible] possunt admitti de [illegible] voluntate hoc i.e. [illegible] quod sit cum [illegible] et favore [illegible] possunt [illegible] i.e. de [illegible] ad [illegible]. [illegible] dilatoria non [illegible] possit [illegible] et [illegible] quod declinatoria iudicis [illegible] recusatoria [illegible] dilatoria [illegible] quod [illegible] non [illegible] et [illegible] quod et hoc [illegible] de [illegible]. [illegible] cum in [illegible] et [illegible] quidam dicunt quod [illegible] alii [illegible] debuit in [illegible] alii dicunt quod [illegible] alii dicunt quod [illegible] et [illegible] de [illegible] alii [illegible] et non probavit quod [illegible] ut dicit de [illegible] dicit quod si [illegible] in [illegible] de [illegible] debet [illegible] probat [illegible] et [illegible] in [illegible] aliquando [illegible] ut hic [illegible] et [illegible] probet. [illegible] quod [illegible] tenean usque ad publicationem [illegible] in [illegible] qui [illegible] de hoc plene in [illegible] de testibus [illegible]

Cas(us) q(ui)ntus testium
no(n) decere testificari
q(uesti)o(ne)m s(er)uatur attestac(i)o(n)es no(n) sunt publicate
[illegible] pa(r)t(ium) [illegible] in p(re)senti [illegible] ubi [illegible]
[illegible] c(um) eius [illegible] vel [illegible] eode(m) [illegible] agenti [illegible]
n(on) alio(rum) et [illegible] [illegible] [illegible] de ipsis
testes. C(apitulum) [illegible] [illegible] no(n) [illegible]
[illegible] de [illegible] [illegible] [illegible] C(apitulum) [illegible] [illegible]
[illegible] no(n) [illegible] auxiliu(m) [illegible] ip(s)u(m) [illegible]
[illegible] de [illegible] [illegible] [illegible]
[illegible] [illegible] de [illegible] [illegible] [illegible]
[illegible] et sic [illegible] ut [illegible] [illegible]
[illegible] ut [illegible] [illegible] no(n) [illegible]
[illegible] no(n) [illegible] auxiliu(m) [illegible]
ferre testimoniu(m) [illegible] C(apitulum)
[illegible]

p(ro)duc(er)e testes in alio casu [illegible] ubi [illegible]
[illegible] et de eode(m) [illegible] de mutu(o) [illegible]
in medium [illegible] [illegible] no(n) ob
[illegible] q(uia) publicato testiu(m) no(n) [illegible]
p(ro)ductos [illegible] [illegible] [illegible]
[illegible] testes [illegible] [illegible] et
[illegible] alios [illegible] [illegible]
testes p(ro)duc(er)e [illegible] sunt et [illegible]
[illegible] [illegible] q(uia) no(n) fecerunt
[illegible] de [illegible] de [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] arguunt alii [illegible]
[illegible] attestac(i)o(n)ib(us) no(n) [illegible]
[illegible] [illegible] et [illegible] de
[illegible] [illegible] et [illegible]
[illegible] no(n) [illegible] [illegible] an
[illegible] de mutu(o) [illegible]

ac et ab morbo .i. peccato alibi ponitur item
quod deficit de iure ad auditum certum .i. notorium
quia non egrum [illegible] quam hos ¶ Item
criminosos a testimonio repelli de quo s. e. testi
monium ¶ Item de quo morbo [illegible]

(margin: q°)

textus dicunt alii quod loquitur de labo[re] [illegible] mor-
bo cum pervenerit quod est [illegible] quod [illegible]
ab altercatione [illegible] dicitur quod [illegible] re
pellit testem [illegible] depositio quod in [illegible]
defendente depositio / et [illegible] mor-
bus dissimilibus repelleretur [illegible] testimonium
[illegible] ubi [illegible] fortius [illegible]
¶ Item [illegible] repellat teste
[illegible] ut quod [illegible]
quod [illegible] requirit hoc [illegible]
filius ad suspicionem [illegible] ut [illegible] de iudice
filium [illegible] de iudice [illegible] iudici

(margin: [illegible] iudice [illegible])

[illegible] iudicium testes ad mittentur [illegible] et add[itur]

(margin: [illegible] et [illegible])

[illegible] testes [illegible]
[illegible] forte quod iudici [illegible]
[illegible] ut [illegible] vel criminibus [illegible]
[illegible] quia non possunt [illegible]
quod principes [illegible] privilegia non [illegible]
vel [illegible] non fuit et [illegible]
[illegible] suos et [illegible]
[illegible] et [illegible]
[illegible] de iudice [illegible] ¶ [illegible]
[illegible] iudicis possit excipere de crimine [illegible]

(margin: [illegible] q°)

[illegible] quod [illegible] novus [illegible]
[illegible] testes [illegible] vel novus [illegible]
[illegible] repelleretur vel admittetur
[illegible] lege romana et [illegible]
hoc [illegible] iudicis [illegible]
[illegible] excipere [illegible] de iudice [illegible] alias
[illegible] excipe [illegible]
[illegible] excipere [illegible]
[illegible] excipere [illegible] contra [illegible]
Anglos .i. [illegible] et [illegible]
[illegible] non [illegible]

[illegible] testes [illegible] suspecti [illegible]

[illegible] ad testimonium [illegible] producere
[illegible] non [illegible] ad [illegible]
[illegible] de [illegible] et
[illegible] non [illegible] testimonium
[illegible] de hoc vel [illegible]
[illegible] quod altera [illegible] admitti [illegible]
[illegible] et [illegible] patrem

quia forte [illegible] magni [illegible]
[illegible] sufficit [illegible] fore [illegible]
¶ [illegible] quod [illegible] suspicionem [illegible] repellatur
aliquis a testimonio [illegible] quod [illegible]
[illegible] non sunt ydonei testes in causa
[illegible] quod ad [illegible] producere
[illegible] ¶ [illegible] nobilis
et [illegible] et [illegible]
quod [illegible] et [illegible]
[illegible] hos [illegible] relinquit
[illegible] in [illegible]

[illegible] sunt ydonei testes quos actor de familia sua

producit [illegible] loqui quod
[illegible] maxime
et [illegible] quod [illegible]
[illegible] de [illegible]
[illegible] quod [illegible] deponunt
et [illegible] non [illegible] ¶ [illegible] quod in [illegible]
[illegible] quod [illegible]
[illegible] et domesticitas [illegible] suspicionem
[illegible] ¶ [illegible] qualitates [illegible]
testibus ¶ [illegible]
[illegible] de testi domesticos vel
familiaribus non admittendos [illegible] quod [illegible]
quod [illegible] quod testes [illegible] familiares
qui sunt de eadem cognatione vel agnatione
[illegible] familie
¶ [illegible] pater [illegible]
[illegible] aliquis [illegible] de quibus [illegible]
[illegible] qui [illegible] ¶ [illegible]
familiares et liberi [illegible] in domo [illegible]
[illegible] alius [illegible] in
domo [illegible] de quibus loquitur [illegible]
[illegible] de filio non admittendo
[illegible] quod testes [illegible]
[illegible] ¶ [illegible] ut quod filius
non [illegible] in testamento [illegible] de [illegible]
[illegible] in testamento [illegible] filio [illegible]
testium [illegible] in quo aliquis relinquitur
[illegible] alius non [illegible] filius testimonium [illegible]
[illegible] aliqui [illegible] vel [illegible] filius
ut [illegible] testes [illegible] glosa [illegible]
[illegible] patris [illegible]
[illegible] alius de quibus intelligitur et
dicunt aliqui quod debet intelligi de [illegible]
vel [illegible] de [illegible] intelligit

de alio non [illegible] parentum nec in [illegible]
[illegible] parentum non potest ut si [illegible] aliter
nisi vel fuit [illegible] ex alieno quod si
nil [illegible] potest admitteretur non [illegible]
quod [illegible] in eo pro [illegible] xxxiii q. v. [illegible]
[illegible] C. de in pupillo et alias [illegible]
[illegible] testis [illegible]
[illegible] et hoc procedit de filio in potestate
[illegible] Quid dicis de filio [illegible]
[illegible] dicunt aliqui [illegible] et [illegible]
[illegible] quod [illegible] tollitur [illegible] emancipatos [illegible]
[illegible] patre [illegible] non [illegible] tollitur debitum
[illegible] et affectio naturalis et hoc [illegible]
Quid dicis de patre in causa filii de quo potest
[illegible] in testem [illegible] filii [illegible]
[illegible] castrensibus bonis [illegible] castrensi [illegible]
[illegible] testem [illegible] quo [illegible]
ibi nota glossa quod [illegible] potest esse testis
in testamento filii militis non [illegible] testis in
causa filii [illegible] testis in causa heredis et si
causa filii [illegible] testis [illegible] ubi
heres [illegible] de suis non possunt esse testes ubi
aliqui sibi [illegible] Quid dicis de alio
dic quod [illegible] filius non admittitur
[illegible] aliqui
[illegible] alias [illegible] et [illegible]
[illegible] vel [illegible] et hoc [illegible] repellitur
emancipato filio mater est repellitur
[illegible] non [illegible] naturalis
[illegible] ff. de [illegible]
[illegible] admittitur ad
[illegible] aliqui quod admittitur
[illegible] non [illegible]
[illegible]
[illegible] xxxi q. iiii [illegible]
[illegible] vel non [illegible]
[illegible] Quid
[illegible]
de [illegible] et [illegible]
repellatur [illegible] C. l. ii
[illegible] ff. [illegible]
et ibi nota glossa et [illegible]
ff. [illegible]
[illegible] ff. [illegible] non [illegible]
[illegible]
[illegible] non repellitur quod non
[illegible] in alio [illegible] non repellitur quod non
[illegible] admittitur
aliqui quod [illegible] non admittitur [illegible]
[illegible] et quod [illegible]
Quid de fratre [illegible]

quod non repellatur in negotio cuiuslibet de quo
[illegible] fuit [illegible] de testibus
[illegible] ff. [illegible] l. i. [illegible]
[illegible]
vel [illegible]
[illegible] repellitur ad testificandum quod alii
cognati vel agnati in [illegible] poterunt
testificari non [illegible] in [illegible]
[illegible] non admittitur [illegible] volentes et non
[illegible] et [illegible] accusantes
et testes. Quid dicis de [illegible] et li-
bertis de [illegible] quod non admittitur
[illegible] libertis [illegible] libertis
[illegible] quod non admittitur qui fuit sub
[illegible] vel [illegible] Quid
de [illegible] dicunt aliqui ipsum admitti
[illegible] repellatur libertus et [illegible]
de [illegible] cum [illegible] quod libertus
quod recepit a domino [illegible] libertum [illegible]
[illegible] et hoc [illegible]
[illegible]
[illegible] repelli [illegible]
[illegible] de alio
[illegible] admittitur [illegible]
colonus [illegible] quod admittitur [illegible]
[illegible] ut l. colonus
[illegible] ff. [illegible] Quid dicis de
et l. colonus ff. [illegible]
[illegible] glossam quod [illegible]
repellitur ut l. [illegible] ff. [illegible]
[illegible] vel
in l. ii C. [illegible]
[illegible] non possunt testes [illegible]
[illegible] aliquo [illegible]
[illegible] in testis
[illegible] testes
et [illegible] Quid de [illegible]
aliquo [illegible]
[illegible]
[illegible] testes [illegible]
aliqui [illegible] ff. [illegible]
[illegible] una
de [illegible]
de [illegible] voce
[illegible] et hoc [illegible]
[illegible] aliqui cautela
[illegible]
quod volens ipsum [illegible] repellere [illegible]
[illegible] aliquos [illegible]
[illegible] repellitur et [illegible]
[illegible] argumento

Et i. fi. Sed an i tenuit quam moueba{tur} q{uod} i{n} illis
...
Item quo dicitur de re{scripto} ca. ce et ad eo quod
mittatur ex causa q{uod} no{n} est aperti p{ro}p{ri}um
certum no{n} de illo fecit mentionem de rescripto
tertium item sup{er} p{ro}p{ri}us et r{egul}is p{re}sentis ...
de q{uod} imp{er}atori de re{scripto} p{ro}p{osi}t{um} q{uod} ...
q{uod} sit q{uod} ... p{ro}rogare imp{er}atorem
... de of. del. ...
...
... prorogatur de re ad re
uel de tempore ad tempus imp{er}atori ...
... p{er} morte{m} delegatis no{n} ...
p{ro}rogare no{n} ... de of. del. ...
de ap. ... imp{er}atori
... exceptione ... petens
... et p{ro}...
... imp{er}atori delegati ...
... p{er} morte{m} delegantis ...
et ... de of.
... del. ...
... de of. del. ...
...
... de of. del. ...
...
...
...
...
...
... de ...
...
... morte delegantis ...
...
...
... de ...
... de of. ...
...
...
...
...
... de ...

tam ... uel ... si ... et
... expresse uel ... et ...
... imp{er}atoris ... alicui
actu exerceat et ... nomine ...
... sit ... nomine ...
... differentia. C. de pactis
l. ... exercitium alicuius actus
imp{er}atori no{n} e{st} i{n} delicto ...
... no{n} posset
... aliud ... ut ...
de re{scripto} et ... ut
c. ... de ap. et ... imp{er}atori
... ut c. ... de re{scripto} et de ...
... de ...
... imp{er}atori ... i{n} dele-
gante et nichil ... resp{onde}o
i{n} delicto ...
... delegatis ut ... aliquid
glo{ssa} q{uod} del. ...
... morte q{uod} delegantis
... nichil p{ro}roga-
... imp{er}atori ...
... p{er} morte{m} mandantis ...
... no{n} ... p{ro}rogari ...
... imp{er}atori ...
... de re ad re ... p{ro}
... p{er} morte{m} mandantis ...
... morte
... imp{er}atori ...
... appellari

Et ... publice attestationibus
... de ... testium ...

uel ... publice attestationibus
... testes ... de ...
... pubertatis ...
... de ...
c. fi. ... fuerat i{n} ...
de ... qui{bu}s ... testibus
publice ... admitti ...
... in ... c. ...
... de ...
... glo. ... testes deponentes
... duos ...
... de quo ... de ...
... publice attestationibus ... testes
i{n} ... Et ... testes

probat contra primum plures poterunt reperiri
si plures probant producere non poterant
responsio ultimo contra si duo testes reperiuntur
mille testes et post mille testium
quia probantur ipsos contrarios et sic non quod con-
trarium contendunt contrarii plures testes et pau-
ciores propter eadem ergo plures preferendi sunt
in mente si se deponunt contra post non reperitur
contrarium plures Textus videtur quod reperiuntur unus con-
tra reperitur testis contrarius unus in pugnatio
impugnationem aliquis contra dicens quod verum sequitur
si illi non sunt presentes contra non ubi alii
Inglosa textus non si non unus testes depo-
nit de contractu cum alter de contractu
ratione vel de ponere aliquid depositio illi
de facto [illegible] In glosa ubi [illegible] dicitur quod
ipsi narrationem non probant deponit si [illegible]
licet vel de quod in instrumento fuit confectum [illegible]
instrumentum quia instrumentum debet confici [illegible]
[illegible] aliquos [illegible]
[illegible] tabellio et testes viderent
mulierem parere ut observarent verba
tum narrata aliquis [illegible] Ita dicit In
glosa [illegible] dicitur olim in primo apparatu
quod hoc non erat in [illegible]
et sic non erat [illegible] in primo apparatu
[illegible] quod si fuerunt [illegible] testes [illegible]
non [illegible] vel forte [illegible]
[illegible] iste [illegible] vel erat [illegible]
[illegible] auditu testes depone-
[illegible] et [illegible] fuit [illegible] vel
vel [illegible] testes quod
non debent [illegible] alter [illegible]
[illegible] loquitur in [illegible] matrimonialis et specialiter
[illegible] admittuntur et
dicebat hoc habet veritatem quod dicitur
[illegible] textus [illegible] hoc
non probat de [illegible] iura
quod [illegible] non fuit [illegible] quod
non fuit [illegible] et [illegible] fuerunt in primo
[illegible] non potuit [illegible] in forti ut [illegible]
[illegible] capitulo et sic quod [illegible] extra
[illegible] vel dicitur ut ubi [illegible] tene-
[illegible] opiniones [illegible] non esse [illegible]
re matrimonium [illegible] capitulo [illegible] in [illegible]
| [illegible] carnalis copula [illegible]

propter conversationes testium de visu ut in testibus
auditus quod amicitia et fama conclu-
[illegible] ubi [illegible] aut [illegible] fama
[illegible] conversationes hoc dicit quia licet videar
non est aliqua sufficiens probatio quia licet videat
eos [illegible] non [illegible] quod [illegible] cognoverit
quia possit esse frigidus vel [illegible] in [illegible]
amicitia ut colloquium [illegible] et [illegible]
[illegible] et hoc [illegible] quia [illegible] quod
[illegible] esse verum licet [illegible] dicat quod [illegible]
[illegible] in [illegible] et dicit [illegible]
[illegible] quod testes non probant [illegible]
reddant causam testimonii sui [illegible]
[illegible] quod si deponunt de visu illud
testimonium conversationes si non [illegible] quia
[illegible] in [illegible] possit esse frigidus
maleficiatus vel [illegible] membro [illegible]
[illegible] dicunt se audisse [illegible]
[illegible] amicitia [illegible]
[illegible] se [illegible] non [illegible]
[illegible] reddentem causam testimonii et quia hoc
[illegible] non [illegible] de necessitate [illegible]
[illegible] ponens [illegible]
[illegible] assignatis si [illegible] non possit
[illegible] copula [illegible] hoc [illegible]
opiniones [illegible] fama [illegible]
[illegible] et [illegible] alia [illegible]
[illegible] sufficiens [illegible]
[illegible] et hoc in [illegible]
[illegible] non [illegible] et in delictis
quod fuit occulte [illegible] testes [illegible]
[illegible] et dicit hoc [illegible] arbitrio In
glosa [illegible] glosa [illegible] vel [illegible]
[illegible] quod [illegible] non [illegible]
[illegible] in matrimonio [illegible] nisi
[illegible] vel [illegible] in
[illegible] hoc [illegible]
[illegible] contra [illegible] de [illegible]
in [illegible] copula [illegible] locum [illegible]
hic [illegible] quia [illegible] non [illegible]
[illegible] istos [illegible] in primo [illegible]
[illegible] fuit [illegible] In [illegible]
Amos [illegible]

Verº no credit n scriptura nisi testium
subscriptis sit fit c. ff. e. c. i. autē
pro ut dus significauit dcā nisi in
auctenticis si fuit ep̄s cū quis fit tm̄ n
ob c. qm̄ ꝗ xi q. i. q̄ mult corrigi
possunt i. ad ꝑ c. nouit de iud. s. uel
dic q̄ loquitur i. summo ep̄o r. ꝑ quo
capi et hic i ff. i. aliis forte sup
agentibus contra eo testes forte ꝗ
nobilt bonis testimoniis sup ꝗficere
testes ꝑ alios sup reto q̄ non [illegible]
i ferri q̄ testes sit ꝗtrarietas ¶ Quin
q fuit ro dubii dic dispo c. quū q
xi q. i. q̄ iudex i. ꝑnb ꝑ fugiunt
nur q̄ si iudex deponit ut testis har
fuit [illegible] ꝑuilegio q̄ dcm̄ ꝑbus
dcm̄ nullus e. c. bonus et c. licet de
q no credit iudici alicui asserenti
de pbs quibus [illegible] testes ꝑferri i
scriptis de q. de fide i str̄ cū dilectos
¶ Opponitur de canone ꝗtrarię ē. aliter
colli ut dixi q̄ hoc c. q i. cor
rigi ꝑ alias canonicas ꝑ q n ꝑ com
nisi i tertio de summo ep̄o. ff. ꝑ et
uel i textu de summo ep̄o. ꝑ c.
tur ꝗcordat cū t[illegible] ¶
app dic ꝑfessione e. de ꝑba dictio no
patur hero modo ꝗ nisi dicatur
i scriptis redactum ut notum fuit
ubi et ibi notatur ¶ ~~Opponitur~~
dr i ꝑ [illegible] g. cū q̄ licet q
emittit asse ap' [illegible] possunt i
ꝑugnari aut c. q de iud. cū bessei
et si de crimi[ne] ꝑtu licet et c. ad
ꝑtorem. ¶ s. hoc. [illegible] mani dut.
ꝑte ꝗmitur ad uerbum autem ꝑdictum
sit [illegible] dñ i memoria
in s dicitur q̄ cum l. solitu certe s
hic bn ꝑut i ꝑugnari de ꝑti et
ꝑurrepte q non ꝑpor[illegible] ꝑe
ap. q̄ i ipsi scriptura ¶ Colligitur ali
quis [illegible] c. q̄ s. ueteri [illegible] indices
scribebant acta et credebatur scripture

sup q̄ et scriptum tabellionis fuit. ꝗ. de fi. i. str̄
c. n. hoc no crederetur de pba qm̄ sicut
hoc tenet quis qm̄ n. olim et tabellionum [illegible]
subscripto testium n ob q̄ dr̄ de tabellionibus
q̄ ille [illegible] offic scribendi de fi. i. str̄ c. ꝑ.
iudex aut iudicandi & de iud. l. iudices
xxx q. t. iudicante scripture g[ui] iudicii sit fo
testes hoc c. ꝑuilegio addit si q n. cū scrip
ture credit nisi testes i scripti [illegible]
ꝗcordaru n ꝑuilegio scripture n. ob hoc
dic q̄ debz intelligi verum si tabellionis
q̄ n pass referri ad iudice qui pat i sigilli
i ꝑ ꝑro si i f. i pbi scripture est tabellio
nis no crederet quod posset rep[ro]bari ꝑ testes
nisi hec testium subscriptio hoc i hec q̄
hec c. q̄ hic no loquitur de tabellionibus
i. non credunt iudices licz indicat q̄ i ciui
tate beneuentani tabelliones uocentur
iudices. ¶ dicunt alii q̄ sunt [illegible] ta
belliones q uocantur iudices si ꝗ [illegible] ad
ꝗtra uide no i ꝑ. alia c. ꝑfessione
sic g i intelligebat prima ꝑte de iudice
ꝑmi de tabellione hoc uide et ad i tex
ꝗtur prima ꝑte de testibus iudices ꝑmi
de bnis et hec contra app ¶ In glo in
i fi. de hac uide q̄ dixi i c. ꝑfessione
~~In glo~~ no ferri ibi quid hec reprobat
i. c. cū ꝑbus de fi i str̄ ~~In glo~~ pte
ibi [illegible] hec et dic a. c. cū [illegible] i. et
ibi [illegible] dic q̄ sit aliquid quod requirit
scripturam de quibus no. de quibus no. de testi
c. i. lib et i aliis nec probatur testibus solis
sunt tn aliqua q melius probantur ꝑ i str̄
q testes ut gesta antiqua et corpus an
tiquus de pba cū loc et c. cum de ꝑscrip
[illegible] i hiis ꝑualet i str̄ testi
bz ut sit [illegible] q̄ uiua uoce ꝑponderat
mortue cū de ꝑbn miraculo credet ꝑuilegio
mortuorum [illegible] de fi i str̄ cū p ta
bellio ꝑ ~~[illegible]~~
[illegible] q sup exceptione dilato
[illegible] sup ꝑuilegio
no credit actore tn ꝑtente ꝑ [illegible] c. g.
et sup ꝑuilegio [illegible] et deponi ꝑpellitur
[illegible] de scripto [illegible] ibi ꝑulegio
et [illegible] ibi [illegible]
et ibi [illegible] i uer nisi [illegible]

[illegible]

dicit se velle opponere quod testes ita conducti sunt ... quod potest opponere ... more ... et ... et tunc non debet exprimere et non cogitur ... opponere quod ... non inuenit ... vel ... cum ... aut ... argumento ... in ... quod ... opponere ... et non ... ut ... ut ... si ... non ... nisi se offerret ... probaturum ...

[illegible]

non sunt audiendi testes si in videtur
quod sunt interrogati et si non ad plenum
tamen ex adverso [illegible] sciens vero rubri
cas quod adversarium [illegible] testium quod quos
contestatus est non propter hoc remittit
testatorum [illegible] per aliorum auctoritatem
[illegible] ad illos qui credes xxxiij di [illegible]
[illegible] Quid autem si ipse nil. de iure suo
[illegible] illorum fecit rubricatur re
[illegible] illorum qui dicit quod admitti
[illegible] illorum contestanti si [illegible]
aliorum [illegible] aliqui valeat [illegible]
[illegible] Hic autem quod de [illegible] posset rubri
cas facere non videtur [illegible]
testes [illegible] invenierunt [illegible]
[illegible]

[illegible]

quod [illegible] pugnare [illegible]
[illegible]
[illegible] Quid si [illegible] dicto
[illegible] testes quod [illegible]
[illegible]
[illegible]
[illegible]
[illegible] Quid si [illegible] terminus
ad deponendum testes et [illegible]
et non [illegible] termino [illegible]
[illegible]

[illegible]

Quid autem si testes de
dicto producti deponunt

[illegible]

[illegible]

q[uod] cum duo p[ro]bant p[re]cepi[sse] nulli ut no[ta]t
Jn[nocentius] e. c. sancto [illegible] p[ri]mo dic[it] Ber[nardus] c. cu[m]
i[n] al[iis] d. c. ti. et q[uod] ubi no[ta]t Ber[nardus] nisi dicat[ur]
q[uod] illud debet q[uod] i[n] alia i[n]stancia p[ro]ducat[ur]
q[uod] t[ame]n no[n] e[st] magistralis ro[tunde] dic[it] no[ta]t [illegible]
leg[um] [illegible] laycu[m] q[uam] cl[er]icu[m] et m[a]g[is]
[illegible] t[estibus] cl[er]icis q[uam] [illegible] laycis
ut no[ta]t Jo[hannes] [illegible] religiosis
[illegible] Jo[hannes] no[ta]t [illegible] q[uod] duo layci
deponentes q[uod] res p[ro]feru[n]t duob[us] laycis
aliis cl[er]icis deponentib[us] i[n] q[ua]m [illegible]
[illegible] arbitrium [illegible] no[ta]t Jo[hannes] [illegible]
q[uod] m[a]g[is] [illegible] q[uod] laycus [illegible] tes[ti]moniu[m]
e. de foro co[m]p[etenti] q[uod] no[n] credit[ur] nisi [illegible]
tes[ti]monium p[ro]hibeat[ur] i[n] foro eccl[esi]e cu[m] crimine
[illegible] et [illegible] q[uod] [illegible] questionibus
[illegible] p[er] no[ta]t Jnglo[sa]. ibi
et c. lic[et] [illegible] q[uod] dicit [illegible]
[illegible] nisi aliter [illegible] dignior
q[uod] cum [illegible] p[ro]bare [illegible] de [illegible]
[illegible] et [illegible]
[illegible] q[uod] [illegible]
[illegible] duos
[illegible] duos i[n] [illegible] et [illegible] q[uod] [illegible]
[illegible] i[n] [illegible] iudice
[illegible] q[uod] [illegible] mediet[at]e
[illegible] et mediet[at]e [illegible]
[illegible] i[n] [illegible]
[illegible] i[n] [illegible]
[illegible] requirit[ur] i[n] [illegible]
[illegible] et [illegible]
Jnglo[sa] [illegible]
q[uod] i[n] [illegible] e[st] [illegible]
[illegible] credi [illegible] glo[sa] [illegible]
i[n] [illegible] q[uod] [illegible] veritate
i[n] [illegible] no[n] fiet
i[n] [illegible] i[n] [illegible]
[illegible] et
[illegible] Jnglo[sa] i[n] [illegible] ibi i[n] [illegible]
[illegible] testes [illegible]
[illegible] et no[n] [illegible]
[illegible] i[n] [illegible]
[illegible] et [illegible]
[illegible] admittend[i] [illegible]

[illegible] q[uod] [illegible] pauciores sunt
[illegible] et [illegible] p[ro]
iudicat[ur] q[uod] no[n] repellit[ur] i[n] alia [illegible]
[illegible] glo[sa] i[n] [illegible] q[uod] [illegible] testes
ff. e. ti. [illegible] q[uod] i[n] [illegible]
[illegible] q[uod] [illegible] et i[n]
[illegible] duos [illegible]
[illegible] arbitrium [illegible]
[illegible] q[uod] [illegible]
[illegible] q[uod] [illegible] p[ro]ferre
[illegible] et [illegible] et [illegible] et fame
[illegible] et [illegible] et [illegible]
[illegible] q[uod] i[n]
[illegible] et fama et [illegible]
aliquos [illegible] no[ta]t Jo[hannes] [illegible]
q[uod] [illegible] pauciores laycos. alibi
q[uod] [illegible] q[uod] [illegible] duo layci de
[illegible] q[uod] res et duo layci [illegible] q[uod] [illegible]
[illegible] laycos [illegible]
[illegible] qualitatib[us] [illegible]
[illegible] layci et
[illegible] admittitur et de
[illegible] et [illegible]
et de [illegible] de mala et
[illegible] alius [illegible] et [illegible]
[illegible] de [illegible]
i[n] [illegible] de [illegible]
[illegible] alios [illegible]
[illegible] religio[sis] de [illegible]
[illegible] legat [illegible] fame [illegible]
[illegible] q[uod] de [illegible]
[illegible] q[uod]
[illegible] et i[n] [illegible]
[illegible] de [illegible]
[illegible] ut [illegible]
[illegible] q[uod]
[illegible] de [illegible] no[n] e[st] [illegible]
[illegible] no[n] [illegible]
[illegible] layci et [illegible] admitti[tur]
[illegible]
[illegible] cu[m] [illegible]
crimine [illegible] no[n] [illegible]
i[n] [illegible] de [illegible]
[illegible] questione [illegible]
de [illegible] q[uod] i[n] famatos no[n] [illegible]
[illegible]
[illegible] i[n] famatos i[n] [illegible]
i[n] famatos i[n] [illegible] et [illegible]
[illegible] testes cu[m] crimine [illegible]

[illegible] et [illegible] fuit [illegible]
[illegible] layci [illegible]

pr se p[ro]gare et p[ro]gatan offerre[n]s a[...]
electo de quo h[ab]et [...] q[uod] p[ro] dign[...] [...]
dic q[uod] testes dum[...] depo[...] [...] opponitur c[ri]mi
ne no[n] audit[ur] [...] volens p[ur]gare ut de
[...] q[uod] tunc videtur [...] genere [...]
deb[et] [...] m[od]o deb[et] [...] m[od]o [...] testes
[...] eligendus no[n] audire[tur] volens [...]
p[ur]gare [...] m[od]o deb[et] [...] et [...]
[...] debet repelli [...]
[illegible]

de falsitate [...] capit[ulo] no[n] [...] et [...]
[...] et [...] Inglesi [...]
[...] capit[ulo] q[uod] [...] no[n] [...] uel
[...] p[ro]baretur aliter [...] Ingles
[...] ab [...] glo[ssa] et [...]
[...] defer[...] melius [...]
[...] et [...] q[uod] [...] melius
[...] q[uod] aliter [...] defer[...]
[...] et [...] regula
[illegible]

ipso [illegible] hic
nisi fuerit pro[curator] per mortis p. archidiaconus ad
potuit archi[diaconus] agere ¶ Oppo[nitur] non auditur agens
cuius non interest nam quod non solvit de [illegible] cum
interest [illegible] si archidiaconi non interest si ecclesia
non vacabat quod quia ipsius interest nam ecclesie
non nomine ipso ¶ [illegible] sunt op[inio]. non auditur
agens alieno nomine nisi constet de mandato
quod nomine ecclesie non debuit audiri nisi de
mandato apparet ut dicit [illegible] quod agebat utique
[illegible] quod sine mandato admittitur ff. de
[illegible] si [illegible] uel ut legatus [illegible]
[illegible] in libro [illegible] de [illegible] quod liber
[illegible] et [illegible] ne [illegible] fuerit [illegible]
nomine ecclesie petendo [illegible] de [illegible]
[illegible] et [illegible] et [illegible]
[illegible] ad [illegible]. dicit [illegible] cum [illegible]
si non exprimit quo nomine agat ut [illegible]
[illegible] ¶ [illegible] quod uno agente et
[illegible] non audiretur alter
nisi doceat de collusione, primi ff. de [illegible]
si cui ff. de [illegible] cum qui [illegible] i. populari
[illegible] quod si plures [illegible] et aliis
[illegible] potius [illegible] admittet ad
[illegible] ff. de [illegible] cum plures
[illegible] nomine ipso
et si succubuit ille cuius interest nomine ipso
non obstabit quin alii agere quia res inter
non [illegible] ¶ [illegible] ille cum [illegible] actio
alias [illegible] ecclesie de [illegible]
[illegible] non debuit audiri [illegible]
[illegible] quod si intelligatur quod [illegible]
dicit [illegible] quod si intelligatur [illegible] custo
[illegible] dicebat quod [illegible] archi[diaconus] dicit
[illegible] uel [illegible] beneficiorum archi[diaconus]
[illegible] archidiaconus agi
[illegible] non nomine ecclesie et
[illegible] nomine [illegible] nullum [illegible]
[illegible] hec non [illegible] sufficit
[illegible] si [illegible] requirit et [illegible]
[illegible] et [illegible] ne [illegible]
[illegible] liberali ecclesie et [illegible]
[illegible] uel custodire [illegible]
[illegible] ut [illegible] non [illegible]
dicendo quod archiepiscopus [illegible] actor ut [illegible]
[illegible] ¶ [illegible] defendens
[illegible] ab agendo [illegible] quod [illegible] agi
[illegible] dicit quod [illegible] de ecclesia agi
[illegible] in [illegible] plebe de
[illegible] et [illegible] in [illegible] quam [illegible]

et i [illegible] si [illegible] in publicis
[illegible] male alienatis quod exprimitur
si quis agere [illegible] libertate [illegible] ecclesie hoc
non requirit [illegible] quod [illegible]
[illegible] possunt [illegible] non ad [illegible]
quod possit agere [illegible] quod archi[diaconus] [illegible]
[illegible] quod [illegible] non [illegible] de
[illegible] archiepiscopus [illegible]
ecclesie ¶ [illegible] sunt ab [illegible] ab agendo [illegible]
[illegible] et illi [illegible] agit [illegible]
[illegible] glo[ssa] quod hec [illegible] sunt
[illegible] quod [illegible] in [illegible]
in questione [illegible] ob quod archi[diaconus] [illegible]
[illegible] dicas hoc [illegible] ut [illegible] liberali
ut dixi [illegible] fundatio [illegible]
[illegible] quod non vacabat [illegible]
[illegible] et [illegible]
[illegible] vacabat et archiepiscopus dicebat
[illegible] et [illegible]
[illegible] et [illegible] dicit [illegible]
et archi[diaconus] [illegible] et [illegible] dicit
[illegible] actore [illegible] requirit
et [illegible] non [illegible] [illegible]
[illegible] archi[diaconus] dicebat quod [illegible] cum
[illegible] et [illegible]
archiepiscopus [illegible] agebat archi[diaconus] [illegible]
[illegible] quod archiepiscopus [illegible]
[illegible] ecclesie [illegible]
[illegible] diffamari [illegible]
[illegible] non [illegible] cum archiepiscopus
[illegible] manumissus hoc non [illegible]
[illegible] quod hic [illegible]
[illegible] in questione [illegible] archi[diaconus] [illegible]
[illegible] vacabat ecclesia et archiepiscopus [illegible]
[illegible] publicetur [illegible] ecclesie
cum [illegible] archi[diaconus] [illegible] liberi
[illegible] ¶ [illegible]
[illegible] quod [illegible] liberi [illegible]
[illegible] manumiserat si [illegible]
[illegible] favore libertatis [illegible] favor libertatis [illegible]
[illegible] [illegible] testamento hoc
[illegible] quod [illegible] requirit [illegible]
[illegible] non [illegible] in testamento [illegible]
[illegible]
[illegible]
[illegible] [illegible] de [illegible]
[illegible] de
[illegible] [illegible]
[illegible] et [illegible]

[illegible] iudex denegans quartam dilationem petitam [illegible]

[illegible] interlocutoria [illegible]

[illegible] quarta dilatio [illegible] appello [illegible]

[illegible] iudex [illegible] aliquid appello [illegible]

[illegible] interlocutoria [illegible]

[illegible] termino [illegible]

[illegible] interlocutoria [illegible]

[illegible] testes et [illegible]

[illegible] testes non debent deponere [illegible]

[illegible] testes [illegible]

[illegible] testes [illegible]

[illegible] iudex [illegible]

[illegible] testes [illegible]

[illegible] debet deponere testis de [illegible]

[illegible] testes [illegible]

[illegible]

fine et tunc sufficiat de auditu l. scire [illegible]
[illegible] C. de testa. l. hac consultissima et [illegible]
capitulo. Quod vero potius oculorum [illegible]
alios sensibus ut gustu olfactu et [illegible]
[illegible] et tunc [illegible] [illegible] deponunt
de [illegible] obiectis ut [illegible] [illegible]
aut vero potius [illegible] de aliquo
actu et tunc [illegible] arbiter ff.
de [illegible] et [illegible] ff. de [illegible]
[illegible] et [illegible] de [illegible]
[illegible] nisi [illegible]
[illegible] ut [illegible] a lege dici [illegible]
[illegible] C. de rei [illegible] l. [illegible]
[illegible] ff. de [illegible] l. [illegible]
[illegible] testes [illegible] deponere [illegible]
[illegible] credulitate [illegible]
[illegible]

In pri[ncipio] aut[em] dubi[um] [illegible] nota
[illegible] alter quam arbi[ter]
[illegible] aliquam [illegible]
[illegible]
[illegible]
[illegible]
[illegible] deducatur [illegible]
et visibili et [illegible] et [illegible]
ut [illegible] de [illegible]
fieri [illegible] ut [illegible] deposuit [illegible] visibili
et [illegible] audibili [illegible] arbitrio [illegible]
[illegible]
[illegible]
[illegible] testes debet
[illegible] audivi [illegible]
[illegible]

Ite(m) si dicatur o c. ¶ Item op(ponitur) aliter testes
si admittu(n)tur ad p(ro)bandu(m) vide(tur) q(uod) primi sal(tem)
ad p(ro)bandu(m) contra s(ed) vide(tur) et tunc alteru(m) sup(er)
fluu(m) s(ed) contra et tunc stat(ur) p(r)i(m)o ¶ s(ed) in
no(n) admittu(n)tur ad p(ro)bandu(m) vide(tur) n(on) contra s(ed)
ad p(ro)bandu(m) contrariu(m) vel dic q(uod) i(n)ducuntur
ad p(ro)bandu(m) vide(tur) s(ed) aliter ut ff. de i(n) alleg(atione)
tertiu(m) na(m) s(ed) [illegible] p(ro)bandum sic ut q(ui) de
reb(us) c(re)ditis ut s(ed) eius coheredu(m) agi(tur) sup(er)
quare hereditat(em) no(n) obstabit s(ed)
alteri heredi agendi ff. de ap. l. s(ed)
s(ed) l. s(ed) ab executore sic testes i(n)du
ti sup(er) uno capi(tu)lo i(n) ea causa i(n)ducu(n)tur
i(n) ea aliis sup(er) eode(m) c(apitu)lo [illegible] s(ed) testes
i(n)ducu(n)t(ur) i(n) una ca(usa) ad unu(m) fine(m) i(n) alia
[illegible] ad aliu(m) fine(m) cu(m) s(ed) [illegible]
s(ed) fines ut s(ed) p(r)i(m)o agens admittere(n)t(ur) s(ed)
adiudicata c. de ea publ(ica) l. s(ed)
ad s(ed) [illegible] de eo cu(m) [illegible] s(ed) n(on)
ob. s(ed) [illegible] receptos ¶ opp(onitur)
p(ri)mi [illegible] reprobant s(ed) ut hic
glo(ssa) op(ponitur) [illegible] p(r)i(m)a [illegible] p(r)i(mo) i(n)ducti
i(n) s(ecund)o [illegible] p(ro)bant plene ¶ s(ed) i(n) no(n)
p(ro)bant plene i(n) s(ecund)o q(uia) no(n) sunt i(n)ducti
ad hoc s(ed) reprobant s(ed) [illegible] q(uia) i(n) purgatio(n)e [illegible]
[illegible] depositio(n)e [illegible] no(n) stat(ur)
[illegible] exceptionu(m) [illegible] aliud contra(rium) [illegible]
[illegible] subdyaconatu [illegible] ¶ Item op(ponitur) de
aliquis testib(us) vel novis [illegible] arbitrio
c. p(re)dicta [illegible] vel q(ui) [illegible]
[illegible] ¶ [illegible] cu(m) testes
antiqui sunt i(n)ducti [illegible] et
ad eunde(m) effectu(m) hic [illegible]
[illegible] quo adferendo [illegible]
hic [illegible] ad alios i(n)ducti [illegible]
[illegible] cognitio(n)e hic [illegible] testes [illegible]
[illegible] hic no(n) [illegible] testes [illegible]
[illegible] vel [illegible] de eode(m) [illegible]
de re iud(icata) cu(m) [illegible] possu(n)t
[illegible] hic [illegible] executio
n(on) fuit admissus [illegible] q(uia) [illegible]
¶ Item op(ponitur) q(uia) i(n) [illegible] admittitur
[illegible] ¶ [illegible] subdyaconatu no(n)
opponebat [illegible] confirmaretur
ut [illegible] roe [illegible] i(n) ter
de eius executio(n)e [illegible] s(ed)
dicas [illegible] et [illegible] no(n) debuit audiri
Ite(m) [illegible] de i(n)tegr(um) restit(utione) [illegible]

ea no(n) co(m)parent [illegible] tertius roe i(n) [illegible]
si co(m)paruit p(r)i(mo) q(uia) longa(m) [illegible] hic aut(em)
tertius q(ui) au(tem) no(n) exp(e)ctat ¶ Ulti(mo) op(ponitur) q(uia) i(n)
no(n) [illegible] q(uia) no(n) debuit audiri i(n) no(n) debuit
fieri executio licet [illegible] causa(m) [illegible] alte
ri ut l. [illegible] aliquo ff. de re iud(icata) ¶ Et in
q(uia) alii petu(n)t executio(n)e(m) i(n) re vaccante
alte(r) i(n) re possessa p(r)i(m)o casu audietur tertius
i(n) p(er)petua executio(n)e ei(us) [illegible] ut hic sup(ra)
s(ed) res sit possessa p(er) aliu(m) q(uia) isto casu n(on)
[illegible] tertii q(uia) rea potior [illegible] q(uia) [illegible]
re q(uia) quo fit executio [illegible] potuisset [illegible]
aliquo res [illegible] s(ed) no(n) sit eu res [illegible]
vaccans q(uia) facilius acquiritur possessio rei
vaccantis q(uam) possesse p(er) aliu(m) vel cu(m) res e(st)
vaccans no(n) e(st) qui resistat causa(m) [illegible]
cu(m) possessor licet [illegible] cu(m) [illegible] agitur
q(uia) tertiu(m) et hoc [illegible] cu(m) [illegible] alii ff.
[illegible] aliud contra q(uia) videtur q(uod) [illegible]
i(n) no(n) vaccante debeat suspendi executio ff.
de re iud(icata) [illegible] hic [illegible]
[illegible] p(er)manea(n)t cognitio(n)e ¶ Item alii
[illegible] petit executio(n)e(m) i(n) re petita et tunc
[illegible] alia petunt executio(n)e(m) i(n) re
p(ro)cedit [illegible]
no(n) petita et tunc [illegible] p(ro)cedat [illegible]
[illegible] nulli dare et [illegible] peto
[illegible] q(uia) no(n) [illegible]
executio i(n) [illegible] q(uia) no(n) [illegible]
s(ed) tertius co(m)pareat q(uia) dicat [illegible] sunt audiendi
et suspendetur executio ¶ Item op(ponitur) fortissime
[illegible] sunt [illegible] aliqua no(n) [illegible]
subdyaconatus [illegible] no(n) debuit ff. de re iud(icata) cu(m)
[illegible] hic erat absens et ignorans
[illegible] et [illegible] ut l. [illegible]
ff. de re iud(icata) [illegible] dimittere [illegible]
[illegible] de ignora(n)tia hic [illegible] de [illegible]
vel dic [illegible] q(uia) debuit audiri
no(n) q(uia) i(n) p(re)dicatur executio hoc [illegible] no(n)
[illegible] licet [illegible] no(n) [illegible]
[illegible] alias ad q(uem) [illegible]
vel certi i(n) terre [illegible]
et i(n) beneficialib(us) q(uia) tertius alleg(a)ns [illegible]
i(n) p(ro)cedit executio ff. q(uia) [illegible] canonica
no(n) sit [illegible] canonice [illegible] i(n) re
[illegible] alii [illegible] q(uia) [illegible] fuit
executio [illegible] i(n) [illegible] cognitio
et sup(er) hoc [illegible] de [illegible] et ab c. si
ff. de re iud(icata) l. a d(ivo) pio q(uia) [illegible] et q(uia) [illegible]
[illegible] c. tuis [illegible]

Cum testes iurare tenentur et religiosi nisi iuramentum remittatur ...

Porro de facto compulsi in uno et ... de ... sunt professi quamvis ipsi ... ... de ... non dubium et ibi non. Item ... monasterii ... Item dicit quod ipsi essent religiosi ... quod ad iuramentum artari non deberent ... quod hoc sit ad habendam veritatem. Colligere quod iuramentum necessario ... testes ...

[illegible]

ut ... non ... quod non ... testes ... petere ... iudex ... petere ... ...

Iudex debet monere ... testes ... et alter ... subrogatur ... ...

[illegible]

qz p(ro) ea(n)s gestis ut e(st) iudex g(enera)l(i)s no(n) p(otest) et testificari ff ex(tra) [illegible] et (sci)e(ndu)m ve(rum) lib(er)i (sed) s(ed) p(ro)curato(r) iudex no(n) efficit d(omi)n(u)s b(ono)s p(ro) illis gestis (sed) p(ro)curator fuit et vero b(ono)s p(ro) ea(n)s gest(us) e(st) act(or) p(ro)p(ri)u(m) no(n) ualeas s(ed) g(ene)r(ali)o subsist(it) n(e)c(essi)tas et tu(n)c est g(e)n(er)al(is) s(ed) (secundu)m s(e)c(undu)m sic(ut) ... Ang(e)l(us) et mat(h)e(us) ibi (secundu)m testes dic(it) q(uo)d s(i) i(n) totu(m) delegaueru(n)t sic s(ed) s(i) aliq(ui)d sibi retineat ... Ang(e)lo et sic ibi no(n) est [illegible] hac lege(m) nisi ... [illegible]

Ma(gister) [illegible] ponis copia perdat recipiunt(ur)

et p(ro)ba(n)tur testes quos reus i(n) duce ... [illegible]

[illegible]

male administrare et defensabit ecclesia(m) ... i(n) g(e)n(er)ali renu(n)tiatione no(n) ... ff de liberis leg(atis) l. aureliu(s) et filii ab ... abs(ens)... [illegible]

[illegible]

q̄ s̄ sc̄pta uidēo p̄mittat cōcernit exp̄ressa
[illegible] cōpulsus [illegible] hoc nō [illegible]
[illegible] pītt [illegible] q̄ testes deponūt ego
[illegible] q̄ dōm cōcernūt [illegible] indus et
[illegible] deponendi cōcernūt uidetur nō potuerūt
[illegible] qualitate receptor n̄ [illegible]
[illegible] agē nō [illegible] qui idē [illegible]
[illegible] q̄ agē possunt et [illegible]
de remedio ordinario ut l. i. [illegible] et
l. i. [illegible] ff. de noui op̄is nūc [illegible]
ponderandū q̄ alter agē posset [illegible]
[illegible] uidetur [illegible] tn̄ op̄is credo
[illegible] fauor fauore ecclīe i traductū [illegible] et
[illegible] ¶ [illegible] dicitur [illegible]
[illegible] agē [illegible] ad hoc
[illegible] dicit q̄ nō q̄ nō [illegible] ordī
[illegible] q̄ s̄ [illegible] testes p̄duce̅
[illegible] publ[illegible] [illegible]
[illegible] in fauore
[illegible] fiet hoc p̄ductos nō [illegible]
i alios p̄ductos ¶ [illegible] erat
agē ut i glo [illegible] nō [illegible] hac re
[illegible] ff. de [illegible] hoc [illegible]
q̄ [illegible] agē poterat uel fauore ecclīe hoc
[illegible] q̄ [illegible] nō expedit [illegible] ad
hoc [illegible] ut hoc opponat plus
[illegible] [illegible] cū [illegible]
de [illegible] nō [illegible] ¶ alberic̄ [illegible]

¶ Receptū et publicatū testes q̄
[illegible] i [illegible] nō
[illegible] ad [illegible] [illegible]
[illegible] et [illegible] agere
[illegible] cognoscebat [illegible]
uel [illegible] ¶ [illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] ff. de public̄ [illegible]
[illegible]
[illegible]
[illegible] ff. de [illegible]
[illegible]
de quo [illegible] notatur de eo q̄ fuit [illegible]
[illegible]
[illegible]

q̄ p̄cedit q̄ [illegible] q̄ [illegible]
[illegible] n̄ forte [illegible] p̄bant
de [illegible] tn̄ hos. dicebat q̄ [illegible]
[illegible] fēm̄ s̄ testes uel [illegible]
[illegible] ¶ [illegible] fiet ista publ[illegible]
[illegible] q̄ fiet [illegible] q̄ testes
[illegible] ad tabellionē [illegible]
[illegible] n̄ tabellio [illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible]
et q̄ [illegible] et q̄ hoc [illegible]
[illegible] q̄ hoc publ[illegible] fiet i [illegible]
carta uel [illegible] ubi i [illegible]
[illegible] et potiē fieri hoc
publ[illegible] de [illegible] potiē [illegible]
q̄ redigant i publ[illegible] formā et tūc faciunt
fidē i [illegible] nō [illegible]
i publ[illegible] formā nō faciunt fidē [illegible]
[illegible] habebat
robur [illegible] q̄ i [illegible]
i [illegible] receperint tātū robur [illegible]
faciūt [illegible] fidē [illegible] et hoc
[illegible] nec [illegible] attestationes
poterint redigi [illegible] i publ[illegible]
formā nō ob [illegible] i [illegible]
[illegible] ad [illegible]
[illegible] et [illegible]
[illegible]
[illegible] attestationes
uel [illegible] uel [illegible] uel de
[illegible] publ[illegible] et [illegible]
[illegible] nō [illegible]
[illegible] publ[illegible] et [illegible]
fit hic tūc [illegible] testes q̄ [illegible]
fuerint [illegible] uel [illegible]
[illegible] et [illegible] nō
[illegible] et fiet [illegible] publ[illegible] et [illegible]
[illegible] formā redigi [illegible] publ[illegible] ad [illegible]
[illegible] memoriā et [illegible]
i memoria [illegible]
[illegible] ad [illegible]
[illegible] fiet i carta nō publ[illegible] sufficit
n̄ q̄ [illegible] ad [illegible]
[illegible] i [illegible]
[illegible] fidē ad [illegible]

per primo pba(tur) hoc ff. de uerb. [illegible]
re C. de testa. l. publici C. de reuend. [illegible]
[illegible] ff. ad l. aq. [illegible] et i lege [illegible] et non
[illegible] quod fides erat publ(ica) [illegible]
[illegible] tabellio qui recepit
testes non creditur si non [illegible]
agatur contra alios [illegible] illo tempore
quo recepit [illegible] testam(entum) [illegible]
[illegible] prouidus [illegible]
publ(ice) fuerit [illegible] formam [illegible] de
[illegible] et [illegible]
[illegible] fuit [illegible] ff. [illegible]
[illegible] actis [illegible] et hoc i [illegible]
[illegible] C. de [illegible] ff. de [illegible]
[illegible]
[illegible]

[illegible]

expedit [illegible] allegare [illegible] cum magis plures
hos [illegible] singulos [illegible] ubi in [illegible] [illegible]
[illegible] super hac [illegible] questione de rescindenda [illegible]
[illegible] glossa [illegible] [illegible] dicit quod recitata fuit
[illegible] non recitata [illegible] cum [illegible]

Quid si publicata [illegible]
[illegible] [illegible] sunt [illegible] testes

Et quos [illegible] [illegible] de [illegible] [illegible] in [illegible]
[illegible] ubi [illegible] et [illegible] de [illegible] et [illegible]
[illegible] alterutrum [illegible] [illegible] sunt [illegible]
[illegible] [illegible] et adversarius [illegible]
[illegible] ponderandum in [illegible] contractus [illegible] [illegible]
[illegible] [illegible] [illegible] rescindatur contractus venditionis
si venditor fuit deceptus ultra dimidiam
iusti pretii de [illegible] et [illegible] cum [illegible] [illegible]
tollere quod [illegible] dicit glossa si testes deposuerunt
in prima [illegible] super certa quantitate [illegible]
hoc posito super alia et hoc dicit [illegible]
[illegible] quod ubi in prima [illegible] deposuerunt
super deceptione [illegible] super valore [illegible]
[illegible] [illegible] [illegible] Ego credo
[illegible] referre [illegible] in prima [illegible] [illegible]
[illegible] [illegible] super deceptione super ultra dimi
[illegible] et [illegible] [illegible] [illegible] tollere [illegible]
[illegible] [illegible] super quantitate deceptionis [illegible]
et [illegible] [illegible] [illegible] et non
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] minore [illegible] non [illegible]
[illegible] et [illegible] [illegible] fideiussisse
non [illegible] [illegible] renuntiasse [illegible]
hec [illegible] solemnitates [illegible] illa non
glossa [illegible] [illegible] de [illegible] et [illegible]
[illegible] [illegible] [illegible] minor [illegible] non [illegible]
[illegible] [illegible] [illegible] non [illegible] [illegible]
[illegible] [illegible] restitutionis [illegible] illud [illegible]
[illegible] [illegible] certificatus [illegible] de [illegible]
testamento [illegible] [illegible] de non [illegible] [illegible]
et [illegible] [illegible] [illegible] de [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] sufficit [illegible] super [illegible] requiruntur
[illegible] [illegible] de [illegible] [illegible] duobus [illegible]
[illegible] et [illegible] duobus [illegible] [illegible] [illegible]
[illegible] an [illegible] solemnitas [illegible]
[illegible] [illegible] non admittatur [illegible] glossa
[illegible] [illegible] quod admittetur refert
[illegible] an [illegible] [illegible] an [illegible] instrumenta [illegible]
[illegible] [illegible] quod tenore instrumenti [illegible]

tero [illegible] [illegible] et non [illegible] de non [illegible]
[illegible] [illegible] [illegible] solemnitatem [illegible]
tero [illegible] testes ut [illegible] [illegible]
ferre ff. de [illegible] [illegible] in instrumento
[illegible] [illegible] testibus [illegible] an [illegible]
rogati [illegible] tenuit [illegible] glossa in [illegible]
de tabulis [illegible] [illegible] aut [illegible]
in [illegible] [illegible] [illegible] de testamento
[illegible] tenuit in [illegible] heredes [illegible]
ff. [illegible] et hoc [illegible] hoc [illegible]
[illegible] [illegible] et hoc ubi testes se
subscribant [illegible] in instrumento non
[illegible] notarium rogatum [illegible]
[illegible] rogatus [illegible] de fide instru
[illegible] de instrumenti [illegible]
[illegible] de [illegible] [illegible]
[illegible] aut [illegible] fuit adhibitus ad scribe
[illegible] in loco [illegible] non aut ad publi
[illegible] notarius dicat publica publicum [illegible]
[illegible] [illegible] rogatus [illegible] aliter [illegible]
non [illegible] [illegible] dicat [illegible]
[illegible] intelligi [illegible] [illegible]
[illegible] motu proprio de [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] subornatus [illegible] aut dicat rogatus
[illegible] sufficiet [illegible] aliud [illegible]
[illegible] rogatum scribere [illegible] aut dixit [illegible]
[illegible] in quaternis registrorum et
[illegible] ad [illegible] instrumenta ad hoc sufficiat
[illegible] non [illegible] aut ad hoc [illegible] de fide
instrumenti [illegible] notarius dicat talibus testibus
adhibitis [illegible] vocatis ad hoc [illegible]
[illegible] rogati de testamento aut [illegible]
[illegible] dicat adhibitis et non [illegible]
hoc [illegible] [illegible] non adhibitos ad hoc
[illegible] testes subscribat [illegible] testamento
[illegible] rogatus [illegible] mandatarii [illegible]
[illegible] ff. de testamento [illegible]
notarius dicat testes rogatos [illegible] dicat
[illegible] [illegible] debet [illegible]
[illegible] [illegible] licet notarius
non dicat in [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] in [illegible]
ferente de mandato iudicis [illegible]
solemnitates relata [illegible] in notario

i nono ff berne. Inglo ii ubi xxx
q i p^o udicio suffat pte q vlt^a
demandat s^3 i hac f^o i quo petitur
uel supplicio et rest recisio genaxte
note pte quatu ult^a et dar^2 com
premissi muti dote equm si no ca
debat ult^a p et premissi vendere
pduas testes q valz ult^a p ultra
dudar^2 doto solo eme equm mag
testes i ducetum ad p^a. ius pem
certe sic s^2 c cu nitid cly...
publ^t attest i, ca materi
pup eade ulp^o testes pnt
pduci - coia dio [illegible] q q^a et pt hug
de deri et de ppo cu i nud repelli thi
pmi apducto s^a. Inglo ea duat
alig. i. i. hac ca s. matrimo et uex
dicit + Quod f ocs pmi pnt martini
dicit alig q dca illoz derogabit
dictos possz p c. pmas sic alu q q
illoz illat e cox n. ob quu q visu
tecte uux arbitro si hic q. x ita
pnt recepti et mo nominet bz i ctho
al^2 et hic poz^2 cly p sispe q ipide
hoc q publ^t attest^s recipia^2 testes
pup eade ulp^o recipiun^2 alu i ca matri
q^2 p^o recepti fuerit q vel xj i
Gud i stancia i f^a i stancia recipiun^2
quat^or et cti ff dicit q i hac f^a
pmi uex pnt recepi qms dca illoz
qua^er fuerit pub.^ca n. carat^2 mod
i f^a i stan deft. lex carectur p
pime et cu recipiun^2 n. ob q testioni
poz^2 erit clausa q no curo pub^cs
illoz si sola illoz quat^or i Inglo
i ff. hac plarz hoc q i. hac i stan
no depone mp isti go illis qtabr^2
i Inglo vl i ff ulio expoi^a i. i hac
ca ut q^m i textu sc^2 e ystitutiōe.
Ex^a pnt qui qus impediat
i testes pducendos et dumd
pnt testes no tenen ud^ea

debent^r tacita et s^t qpligunt sci i petunt
testes allegans petitur vel dicent. Colorabit
hoc fieri p^t pnt i Side p^t pau^2 corespiss ndos
n tuipe puipo n ubi nō ff defens n. dum^3
illos dum ij qm^t teneri quo dc of or q plege
de actu ob. sed dum 3 qm^o experim i femi
re pena [illegible] defensiois i ponere q ridi argui
excecri stetz ff q mecd no excepte et s. despsp q gene
sic gradibus nis dignus ferre quosse. quadruit monu p re
Sz pnt opponi q hac lex spolz de sey
ses n^o q tenetur si d et ut pcedi usq^t nora
uel culpa pcedit si hic presserat culpa q
qpligunt et impeimauerit. Sz opai hic argu
ibid^2 determinac i quo no qpellat^a testes. ln
pp p. et pe q vi^2 obstare hinc cetz et e ptic
ubi cutit dgr. determine ut erat hic q
demandat^a uel dic q hic no tendat qpelli
vel q quiz no e sup^r. Vera si dic ut dcit c
dicitur sic re. Sz in qi pnt pmi i depo
nat q mu^3 ypi s^a no debz ab ceda fre
testioniz. Sz dicit ut hoc sc testioniz pup eos
pmi q no debet admicti q alios q q illu
q quo extortu e ud^m alio q ut ieiunio q
q quo extortu e ud^m pect^a e ut no idem nec
utu ud^m pecte vi^2 ide no^a [illegible]
et melius [illegible] d. florentiny p auch 4^a i
dispute debet admicti + d dut. dut^te
dispute debet admicti f da aut. aut^te
[illegible] possit q vere dicit alig q sic s. arg^a
q mo i qusiciod de of or q plege lib et
hoc et hoc dicit ide s. arguitur aliter q
ut q tendatur de suy ut e mode f celare
viuitate et qm qpo de eo fal c. a^r de
q pulendus e sup^er dequo dicit cum to^s
qpuid suy pulis e testes mag qpellat^2
dicere q no q dej cui dem arg. de c
[illegible] et c lex clu teme qnde q cuy
qqny i duat p supra et parte eet lect
defacto s de ut up c si et alle q dixi
d e [illegible] et hic not i hic ci de q de
testiu qpulsioe q ordine aut^te sic qua
ne tu de q eo ipo q eo^2 audire pacit
depone n^t a^d requirt aut^eo no cu tex
sic affirme + sic i relegi hic e + Inglo i
i ff. hug q temerariu ud^m repellit et
dicit q hec fuit psile i ductu i hoc
arbiter alle ff de ut up cuque xj
qui qpo et pendet hoc dc q alig dcit
q temerariu ud^m e ucile alii q mote
ut nō^a bapti di florentini et xxxj qm
nec et mote repellit q c testioniz.

n^o acut. quoz inter e hic no tam scrip^t fac^e sinale.
q no depone^t manifes faciend obmitti.

et q. q rone ff
ystituit

quesiuisse ca di
vel s. p^o ocq
tenez

glo i.

repell[it] cu[m] auctor repell[itur]. Et hic no[ta]
de successore [illegible] testes [illegible] testium de [illegible]
[illegible] audiuit [illegible] q[uod] aut[em] [illegible] robur recipit q[uia]
[illegible] dem ita fiatur [illegible]
[illegible] credulitas
[illegible] testes [illegible] no[n] [illegible] de ce
dub[itati]ve [illegible] q[uod] p[otes]t interrogari
de credulitate [illegible] et iudex hoc
ne deponat [illegible]
Inglo q[uod] ibi hoc [illegible]
deponunt testes de eo de quo no[n] [illegible]
[illegible] possit fore [illegible] concludit [illegible]
si testes deponunt de auditu ab aliis no[n]
e[st] nec[esse] q[uod] [illegible] si [illegible]
q[uod] audiuerint a duob[us] et ibi [illegible]
[illegible] no[n] [illegible]
[illegible] a duob[us] [illegible]
deponunt q[uod] audiuerunt a duob[us] [illegible]
[illegible] a duob[us] et alter [illegible]
Et [illegible] repellitur [illegible]
[illegible] no[n] [illegible] auctor testes
[illegible]
[illegible] Inglo [illegible]
[illegible] de [illegible]
[illegible] credo
[illegible]
[illegible] testes de [illegible]
[illegible] de auditu [illegible]
[illegible] defende [illegible]
[illegible] testium de auditu [illegible]
[illegible]
[illegible] testes deponunt et
[illegible]
[illegible] testes
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] testes [illegible]
[illegible]
[illegible]

Testes [illegible]
[illegible] interrogari no[n]
debet [illegible] capitulis no[n] depo
[illegible]

[illegible] et [illegible] et [illegible]
capitulis [illegible] testium
[illegible]
testes [illegible] no[n] e[st] teste de nouo de [illegible]
[illegible] testis [illegible] addendi
[illegible] possit [illegible]
Inglo [illegible] equiparat neglectu[m] et dolu[m]
[illegible] obstare [illegible] de [illegible]
[illegible] equiparat[ur] quantu[m] ad
pena[m] [illegible] quantu[m] ad alteri no[n]
[illegible] producens
testes [illegible] capitula [illegible]
[illegible] interrogatoria [illegible] dicit
[illegible] interrogetur testis quo loco quo tempore cu[m]
[illegible] et iudex recipiet capitula
[illegible] dabit copiam producti
et [illegible] testes instruere et sub
[illegible] testes [illegible] dando copia[m]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
producere [illegible] instructos
testium [illegible] testium subornatos [illegible]
[illegible]
[illegible] interrogatoria et no[n]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] interrogatoria [illegible]
[illegible]
testes [illegible] et [illegible]
[illegible]
[illegible] de teste [illegible]
[illegible]
[illegible] testes
[illegible]
[illegible] de testib[us]
[illegible]
[illegible] capitula
[illegible]
[illegible] interrogatoria [illegible]
[illegible]
testes [illegible]

uidaverit non deposuerit eum tamen subiecisse [illegible]
esset in eum quod eos non potest [illegible] compellere non
posset [illegible] interrogare [illegible] non
[illegible] et iudex [illegible] certo [illegible] super
[illegible] interrogare nolit credendo quod ad hoc
non fecerit [illegible] quod fecerit [illegible] non
[illegible] cum [illegible] non possit [illegible]
ignorantia vel negligentia [illegible]
cum [illegible] de [illegible]
cognovisse [illegible] de [illegible] alias
[illegible] hoc [illegible] iudex non [illegible]
[illegible] iudicis [illegible] forte [illegible]
[illegible] capitulo
[illegible] producere non
[illegible] interrogatorie [illegible]
[illegible] et [illegible] et de [illegible] in
[illegible] negotii vel eos
[illegible] vel [illegible]
super [illegible] de [illegible] et bona fide
[illegible] non [illegible] testes [illegible]
[illegible] non interrogantur de [illegible]
iudicis [illegible] non est [illegible]
[illegible] capitulo [illegible]
[illegible] negative [illegible]
[illegible] deposuissent iudex
[illegible] repetere [illegible] cum clamor [illegible]
[illegible] non [illegible] depositio in [illegible]
[illegible] de [illegible] vero teste
deponit super [illegible] non [illegible] deponet
super [illegible] capitulo
[illegible] deponit super [illegible] ad [illegible]
[illegible] deponit super quo [illegible] et [illegible]
[illegible] deponente super [illegible]
et [illegible] capitulo [illegible]
iudex [illegible] super [illegible]
[illegible] non [illegible] et testes [illegible]
[illegible] valeat [illegible]
[illegible] non [illegible] a lege [illegible]
[illegible] testes deponant super [illegible]
et [illegible] debet [illegible]
[illegible] super [illegible] et [illegible]
[illegible] non admittendi [illegible] non
[illegible] et [illegible]
[illegible]
de teste [illegible] non [illegible]
[illegible] et [illegible]
[illegible] et hoc
[illegible]
[illegible]

[illegible] super hoc [illegible]
[illegible] testes [illegible]
tem quod non [illegible] hoc fieri debuit [illegible]
[illegible] itaque [illegible]
negativi [illegible] admittendi ibi [illegible]
[illegible] Respondeo
[illegible] positiones et [illegible] iudex [illegible]
terminum ad illas dandas et [illegible]
[illegible] non recedat [illegible]
recedit debet [illegible] positiones [illegible]
[illegible] super [illegible]
dandis non hoc [illegible]
[illegible] Respondeo [illegible] credo [illegible]
[illegible] tem quod [illegible]
[illegible] non [illegible] certe itaque [illegible]
super [illegible] positione [illegible] interrogari [illegible]
[illegible] tem quod [illegible] et [illegible] tenet
[illegible] credit [illegible]
[illegible] negative [illegible]
fuerit de [illegible]
[illegible] et hoc [illegible] emergit
de [illegible] Respondeo pono
[illegible] iudice vel [illegible] delegato et [illegible]
non credo [illegible] pono [illegible]
[illegible] non [illegible] positio [illegible]
[illegible] obtinuisse Respondeo
pono [illegible] dicit quod
[illegible] non teneretur
[illegible] et [illegible]
[illegible]
[illegible] Respondeo
[illegible] terminus [illegible] ad [illegible]
[illegible] poterat positiones [illegible] non
positiones [illegible] debet [illegible] iudex [illegible]
interrogare de [illegible] non
[illegible] credo positiones fieri [illegible]
modus [illegible] Respondeo [illegible]
[illegible] hoc [illegible] modus [illegible]
[illegible] hoc [illegible]
[illegible] et [illegible] in genere
[illegible] iudex interrogare non ad [illegible]
[illegible] capitulo [illegible] testes super [illegible]
productos [illegible] et
alios [illegible]
[illegible]
[illegible] lege [illegible]

no e l. ..o post fa. narra.o in ce. c.issio
s repet. ff. ... adhuc i. .mit q. in alio opposite
... ... sed certificacione ... ...
... q. rep... ... testium ... ...
... ... affirmative ... ...
et liceat ... ...
... ... testium ... ...
... ... fieri testium ... ...
et ... ...
... ...
... ...
... ...
terminus ... ...
... ... reprobatorios ...
de ... ...
et ... ...
... ... fuit terminus vel fuit ...
... ... reprobare
testium reprobantium ... ...
... ... testes ...
loco deponentium ... ...
... baronorum ... ...
... ... prohibet ... ...
... ...
testes ... ...
... ...
... testes ... ... subornacio
... ...
i reprobacione ... ...

... ... arbitr. ... ...
... ... testes
... ...
... ...
... testes de novo deponere ... ...
... ...
... ... de arbitri ... ...
et ... ...
... ...
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... ...
... ...
... ...

moritur de off. del. qui del. ... ...
... ... et ... ... decretis et c. ...
... ... coram arbitris non ... ...
coram iudice ... ... arbitri non ...
nisi metu ... ff. de arbi. l. ... ...
... de arbi. ... ...
alius ... ordinarius ... ...
ff. de ... ...
... ... non ... defendi ...
... ...
... ... et ... ...
... de arbi. ... ... relinquitur ...
... ... quos ... ...
... ...
... ... de ... et ... ...
... ... relinquitur ...
... ... et de
... et ... ...
... ...
... ... debebat ... ...
... ... non relinquitur ... ...
non possit impugnare ... ...
... ... ubi relinquitur
... ... modus
agendi et non ... ...
... ...
... ...
relinqui ... ...
... ...
... ... coram arbitris ...
... a lege ... ...
... ... non ... ...
arbitrio ... non ... ...
coram iudice ... ... et ...
... ...
... ...
... arbitri ... ...
... ... arbitris
de arbi. ... ...
... ... vel ... ...
... ...
... ... non ... ...
... ...
... ...
... ... non ... ...
... ... et ... ...

R[illegible] cum mag' uno ipso[rum] cler' t[illegible]
[illegible] ad cler[icum] solvebat q[uod] p[ro]deferat
[illegible] quartu[m] interventos et deferat
[illegible] solvens no[n] potest variare q[uia] [illegible]
[illegible] dev[illegible] actu[m] [illegible]
solvens potest [illegible] ad [illegible] ut [illegible]
[illegible] ff. de ver. obl. [illegible] deferatur a
[illegible] potest variare ut [illegible] cu[m] qui ff. de ver. ob.
[illegible] solvi[illegible] fuit electus variare no[n]
[illegible] electo vel [illegible] fuit valida ff. [illegible]
[illegible] Alicubi t[ame]n ex lege [illegible]
[illegible] laico variatio et no[n] clerico de iure [illegible]
[illegible] et [illegible] Inglo. [illegible] de [illegible]

[illegible]

Inglo. [illegible] ibi p[ri]mo magis [illegible]
et di[illegible] q[uod] p[ri]mo fuerit ante magistr[illegible]
[illegible] est [illegible] fuit dono dei [illegible] p[re]di[illegible]
militie [illegible] di[illegible] placuit [illegible]
[illegible] fuit domo
dei [illegible] meritis [illegible]
[illegible] recurre [illegible] deo [illegible] uno [illegible]
[illegible] clar[illegible]
Item [illegible] testis
[illegible] deposuit [illegible]
[illegible]

[illegible]

[illegible]

de i tertia p̄uālē de actu [illegible] quo [illegible] adhuc q̄ testes erāt publi[illegible] q̄ repeti nō debet [illegible] nō debet repeti [illegible] addant [illegible] ut declaret modificat [illegible] [illegible] premissa [illegible] ut addat [illegible] an [illegible] q̄ ubi testes [illegible] de [illegible] ut dicta [illegible]

[illegible]

q̄ [illegible] nō [illegible] vel [illegible] ad formam redigit [illegible] emendat [illegible] cum [illegible] criminosi emendatur [illegible] criminē [illegible] [illegible]

[illegible]

[illegible]

crimina pro[illegible] de[illegible] additur non absque

q[ue]re repellit criminosus a p[er]hibendo testimonium q[ui]a iste e[st] i[n]fidelis deo a quo recessit p[er]petrando mortale. Ex p[ar]te d[e]i caritas et n[on] q[ui] h[abe]t n[on] p[otes]t et sic n[on] p[otes]t ee fidelis h[abe]t q[uia] non diligit deu[m] n[on] p[otes]t homi[nem] dilige[re] q[ui]a p[ri]us caritas e[st] p[ri]us dilige[re] deu[m] [et]c. q[ue]re e[st] sp[ecial]e q[uia] p[ro]pter unu[m] mortale repellit[ur] i[n] q[uo] est r[ati]o q[uia] p[ro]pter unu[m] datur ei fides [et]c. e[s]t i[n] l[itter]a inf[ra] incredibil[e] i[n] canone q[ue]m q[ui] in eisque i[n] p[ro]p[ri]us[?] se[m]p[er] degenerare decrevit[?] pot[est] multis [illegible] — Ru[bric]a: q[ue]re i[n] fine luris repellit[ur] q[ui] i[n] fe[cti]t n[on] p[otes]t [illegible] publico[rum] officio[rum] ut l[itter]a [et]c. de i[n]fa[m]i[a] — Ex re pelli[tu]r emendatus i[n] crimi[ne] [illegible] p[ri]us i[n] test[imonio] ligi[tur] exc[ommunicatus] de crimine q[uo]d irrogat i[n]famiam [illegible] si h[abe]t n[on] est d[iffere]ntia inter civile et cri[mina]le vel i[n] collige de crimine q[uia] p[er] s[e] irrogat et n[on] [illegible] lata s[ententia] et i[n] h[oc] differt a civili vel d[ici] q[uia] p[ro]p[ter] i[n] purges ex crimine i[n] repellit[ur] i[n] crimine q[ui] magis p[er]ditus ut [illegible] dixi et [illegible] s[ecundu]m [illegible] vel [illegible] i[n] h[oc] [illegible] q[uia] [illegible] i[n] purgat n[on] [illegible] i[n] fama inf[ra] q[ui] i[n] purgat ex crimine est [illegible] irregularis i[n] criminibus publicis vel est s[i] non purgat [illegible] i[n] fama [illegible] apud aliquos de aliq[uo] crimine absq[ue] aliq[ua] s[ententi]a et est aliq[ui] [illegible] crimine q[ui] licet [illegible] i[n] famatus e[st] n[on] t[ame]n [illegible] crimine [illegible] dicens [illegible] obstitue q[uia] n[on] [illegible] testimonium [illegible] repellat vel fere [et] sic [illegible] [illegible] tunc utriusq[ue] repellit[ur] s[ed] i[n] ita lata nec [illegible] fuisse [illegible] et [illegible] e[st] [illegible] v[i]d[e] [illegible] principiu[m] [illegible] repetitur teste[s] [illegible] nomine crimis hic intelligas mortale [illegible] q[ui] veniale n[on] repellit a testibus [illegible] propter illud n[on] recedit a deo q[uia] n[on] [illegible] caritatis fervore [illegible] fidelis ee [illegible] in medio n[on] repellit [illegible] a testibus [illegible] de actu i[n] questionis [et] t[ame]n illud [illegible] mortale crimine [illegible] q[ui] [illegible] n[on] q[uia] [illegible] mortale repellit a testibus s[ed] [illegible] mortale dignu[m] depositione ut sic

repellendus a bordine[?] repellit[ur] est a testibus [et]c. [illegible] a [illegible] aplicatus — Que aute[m] crimina repellit [illegible] de qu[o] [illegible] extenuare et [illegible] di[ci]tos i[n] mortalibus remanens [illegible] q[uia] recessit a deo et sic i[n]fidelis deo [et] h[omi]ni [illegible] n[on] [illegible] s[ed] q[uia] [illegible] fragilitatis humane n[on] repellit[ur] [illegible] aliqui [illegible] his criminibus ne angustetur [illegible] copia [illegible] debere [illegible] q[uia] [illegible] multu[m] [illegible] de iure rigore re[illegible] pelleretur [et] [illegible] et [illegible] q[ui] emendatus n[on] debet admitti q[uia] licet p[er]na debeat p[er]eni et tollat i[n] famiam canonica de qua [illegible] q[uia] [illegible] n[on] t[ame]n tollit i[n]famiam civilem [illegible] q[uam] [illegible] tollit [illegible] n[on] videt[ur] p[ro]pter admittendus [illegible] et [illegible] q[ui] emendatus admittit[ur] i[n] [illegible] crimine n[on] famoso vel [illegible] n[on] fuit [illegible] q[uia] quantumcumq[ue] esset emendatus et [illegible] p[er]nita[ns] adhuc re pelleret[ur] n[on] p[ro]pter crimine s[ed] p[ro]pter i[n]famiam cuius macula n[on] tollitur p[er]na s[ed] solus princeps [illegible] [illegible] de irrogate i[n]famia [illegible] s[ententi]a lata n[on] fuit q[ui] admittet[ur] emendatus [illegible] q[uia] quantumcumq[ue] [illegible] emendatus [illegible] admonitus [illegible] datur [illegible] fortius et [illegible] de re [illegible] qui ad agendu[m] [illegible] criminose agi [illegible] quantumcumq[ue] emendatus s[ed] h[oc] [illegible] illa q[uia] [illegible] s[i] quis agat p[er]na n[on] p[ro]pter hoc tollit p[er]na [illegible] vel i[n] [illegible] alteri[us] s[ed] [illegible] de crimine n[on] [illegible] q[uia] [illegible] e[st] i[n] crimine et [illegible] e[st] nonus [illegible] p[er]nam [illegible] est q[uia] hic agi[tur] de veritate dicte [illegible] et [illegible] lex p[er]severante n[on] [illegible] q[uia] [illegible] cessit delicto crimine [illegible] p[er]na[?] [illegible] inter alios [illegible] alios p[er]na[illegible] n[on] [illegible]

(margin notes:) crimen mortale q[uo]d non repellit; [illegible]; q[uia] [illegible]

de re iudicata c. per tuas [illegible] quod fecit in [illegible]
iudicio non preiudicat in alio [illegible] hic non
agitur de crimine proponendo vel
non sed agitur de materia que capitur contra
[illegible] Item videtur quod ille hic
equiparat confessum vel conuictum in alio
iudicio sed oppones de notis per in
de ele. per transactionem ubi dicitur quod confessio
facta in uno iudicio preiudicat in alio
sed non conuicto. dicitur hic non equiparat vel
dico quantum ad finem [illegible] sed quantum
ad effectum opponendi minime de [illegible]
quia ita minuitur per confessionem sicut
per conuictionem et ceteris. Oppono quod ubi quod etsi
non fuerit confessus vel conuictus re-
pelletur dummodo sit accusatus in futurum
et procedat [illegible] sed hic contra est [illegible]
sed tamen est dicendum quod ibi loquitur accusatione pen-
dente quia tunc [illegible] quedam nota
[illegible] de accusatione c. super hiis [illegible]
[illegible] sed ipsa finita sola in futuro [illegible]
[illegible] non repelletur sed in casu nostro
secus quia quandocumque finiatur accusatio
adhuc repelletur ipsum conuictum vel
confessum fuisse. Oppono [illegible] quod dicit
textus in principio quod emendatus de crimine
[illegible] non committitur in famia admittitur
quod non committitur in famia admittitur in causa [illegible]
[illegible] in famis admittitur in causa [illegible]
in futuro [illegible] videtur in mere quod [illegible]
non sit in famis [illegible] obstat [illegible]
[illegible] quod totum [illegible]
quod in dicitur sed tamen non committitur in facto
[illegible] de illo cuius [illegible]
[illegible] est in famis [illegible]
[illegible] quod de illo cuius est [illegible]
dicitur quod admittitur in causa et de in famia
dicitur quod non admittitur [illegible]
[illegible] facta [illegible]
[illegible] quod in famis in
[illegible] repellitur in criminali et non
[illegible] in ciuili sed cuius [illegible] de f.
[illegible] ff. de [illegible] et quod ubi

[illegible] [illegible] repellitur [illegible] sed non
[illegible] in ciuili [illegible]
[illegible] in religione [illegible]
[illegible] dicunt aliqui [illegible]
[illegible] alii dicunt [illegible] in famia [illegible]
canonica sed de hoc [illegible] quod [illegible]
[illegible] dicit illam [illegible]
alii dicunt quod aut [illegible]
[illegible] ut tunc sit in famis aut [illegible]
futuro et tunc secus [illegible]
ff. de [illegible] facta et [illegible]
[illegible] transactionis et [illegible]
[illegible] in famis [illegible]
[illegible] quod alii [illegible]
[illegible] et hoc [illegible]
[illegible] vel [illegible]
[illegible] vel fuisse vel non esse vel fuisse
[illegible]
[illegible] ut [illegible]
[illegible] canonica [illegible]
iudicat non est [illegible] quod tunc [illegible]
de [illegible] sola [illegible] de
[illegible] alio casu [illegible]
et [illegible] et [illegible]
[illegible] ad [illegible]
[illegible] rigore
alii quod [illegible] quod [illegible]
[illegible] et tunc [illegible] sola et [illegible]
ut [illegible] et [illegible] sola
[illegible] quod sola [illegible]
alii [illegible] et tunc est in famis
[illegible] eadem ratione ut [illegible]
maior. alii quod [illegible] quod te-
[illegible] et [illegible] non est in
famis quod [illegible] tamen admittitur
[illegible] i. [illegible]
ad [illegible] ad [illegible]
[illegible] quod ad [illegible]
in [illegible] qui [illegible]
in [illegible] quod tunc [illegible]
[illegible] non debet
[illegible]
[illegible] ut [illegible]
[illegible] et [illegible]
[illegible]
sola [illegible] sola [illegible]

i.e. c. [illegible]

[illegible] ... in lege ... ordinat... ad ... eterna ...
quam puniunt ... mortali. Quid dices
in aliis actibus ... ut ... et ... vel aliis ... dices quod re-
pellantur criminosi ... de repul-
sione ... ut ... dices quod repellantur cri-
minosi ... de repulsione ... ita ... quod requirantur testes ... repellen-
tur ... et ... in
aliis actibus non solum in criminibus ... in aliis actibus
non solum in criminibus famosis ... ille debeant
in ... repelletur ... quod ...

[illegible]

veritate de ... que in ...

[illegible]

[illegible]

[illegible]

[illegible] purgat propter crimen aut propter actum medium [illegible] de crimine constat et de [illegible] [illegible] repelletur ex capite criminis et [illegible] si non constat de [illegible] admittetur cum repellitur lege [illegible] [illegible] medium ut propter crimen [illegible] [illegible] et [illegible] et [illegible] [illegible] et [illegible] non repellit et [illegible] [illegible] de [illegible] [illegible] propter heresim [illegible] Inglesium [illegible]
[illegible] de quo dixi [illegible] textu [illegible] [illegible] [illegible] glo [illegible] Inglesi [illegible] glo [illegible] sacerdote posset [illegible] confesso [illegible] satisfacto et emendato [illegible] [illegible] [illegible] [illegible] de capite [illegible] et [illegible] gerit typum dei in foro penali [illegible] [illegible] tunc purgat [illegible] [illegible] Et [illegible] Heretici [illegible] [illegible] ut ibi [illegible] Et [illegible] glo [illegible] de teste [illegible] [illegible] [illegible]

[illegible] dilato [illegible] testibus producendis [illegible]

non [illegible] nisi [illegible] legalis [illegible] [illegible] testes [illegible] capitulo [illegible] fuit dilatio [illegible] nomine [illegible] testes [illegible] cum dilatio [illegible] de [illegible] [illegible] [illegible] vel [illegible] ut [illegible] [illegible] [illegible] [illegible] [illegible] quod sufficiat cum [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] legalis [illegible] [illegible] [illegible] prima [illegible] [illegible] et cognitione [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] nisi [illegible]

[illegible] [illegible] de [illegible] [illegible] [illegible] testes [illegible] quod non [illegible] [illegible] [illegible] capitulo [illegible] [illegible] fuit prima [illegible] et [illegible] [illegible] cum dilatio [illegible] ut dixi in textu [illegible] [illegible] non [illegible] [illegible] [illegible] de [illegible] [illegible] [illegible] de [illegible] [illegible] et [illegible] [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible] testium fuit [illegible] non [illegible] denegabitur nec [illegible] quarta dilatio [illegible] [illegible] non [illegible] non est [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] testes [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] testium [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] testium [illegible] non [illegible] repellerentur [illegible] [illegible] dilatio [illegible] [illegible] et ab non repelletur nisi [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] non videtur [illegible] [illegible] [illegible] [illegible] [illegible] testium vel [illegible] testes [illegible] [illegible] quos [illegible] producere [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] differre [illegible] publicare [illegible] [illegible] nec [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] testes [illegible] [illegible] et [illegible] [illegible] vel [illegible] [illegible] non [illegible] [illegible] dilatio [illegible] non [illegible] vel [illegible] de morte [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] quarta dilatio non possit [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] vel [illegible] [illegible] [illegible] [illegible]

[illegible]

[illegible]

[illegible] torquentur

vis [illegible] de testi[bus] [illegible] compellit testes sub
terfugie[n]tes [illegible] testimo[nium] et [illegible]
compulsione [illegible] ad matrimonium [illegible]
tuendum [illegible]

In causa matrimoniali coguntur
testes primo ponitur tertio narratio
[illegible] commissio [illegible] ut [illegible]
in [illegible] de [illegible] testium et ad [illegible]
dum fidem de eo quod asserit [illegible]
[illegible] executor cognitor vel auditor
de [illegible] propter [illegible] testes
compellantur ne veritas [illegible]
[illegible] compelli
potest [illegible] fuerat [illegible]
[illegible] non debent [illegible]
ordinario [illegible] hoc [illegible]
ordinarius [illegible] celare
veritatem [illegible]
non privilegiat [illegible] privilegia
[illegible] super [illegible] de [illegible]
[illegible] alia privilegia ut [illegible]
in [illegible] asserit abbatis [illegible]
[illegible] veritas [illegible] alios non compellantur
privilegiati [illegible] alios [illegible] non
[illegible] compellere [illegible] mortali peccatum
celando [illegible] tangit [illegible] matrimonio
[illegible] compulsione testium [illegible]
Itaque etiam [illegible] privilegiati in compul
sione ad testimonium [illegible]
[illegible] nostre [illegible]
[illegible] et hoc [illegible]
[illegible] officio [illegible]
tuendum [illegible] testium [illegible]
[illegible] debet [illegible]
[illegible] compellatur ad publica officia [illegible]
[illegible] hic [illegible] quod [illegible]
possit etiam compellere [illegible] ubi ven
tas [illegible] non [illegible] mortale [illegible]
[illegible] veritatem [illegible]
[illegible]
[illegible] testificari [illegible]
[illegible]
[illegible]

[illegible] noluerit [illegible]
de [illegible] super [illegible]
[illegible] proponit ubi tamen [illegible] de crimine
[illegible] clerici [illegible]
ubi requiratur [illegible] clamorem [illegible]
ubi agitur ad debitum repetendum
Inglo. [illegible] ubi [illegible] hoc [illegible] civilis
[illegible] peccatum est [illegible] celare veritatem [illegible]
[illegible] proximi et hoc [illegible]
[illegible] clericis [illegible] ut religio
[illegible] non [illegible] tacere proximi [illegible]
[illegible] religionis [illegible] tenuit [illegible]
[illegible]
[illegible] et alias [illegible] non est peccatum celare
veritatem non [illegible]
[illegible]
[illegible] nisi manifeste appareat
de malitia [illegible]
[illegible] testes
non coguntur [illegible]
non [illegible]
[illegible]
[illegible]
[illegible] super [illegible]
[illegible] de [illegible]
testes sunt cogendi primo [illegible]
[illegible]
[illegible] alios veritas [illegible] non [illegible]
vel [illegible] vel expeditione [illegible]
[illegible]
[illegible]
[illegible]
[illegible] de [illegible] non [illegible]
[illegible]
[illegible]
[illegible] de [illegible]
[illegible] fuit [illegible]
[illegible] non [illegible]
[illegible]
[illegible]
[illegible] de [illegible]
[illegible] causam [illegible]
[illegible] fuit [illegible] terminus [illegible]
[illegible] de [illegible]
[illegible] Inglo. [illegible]

q debet vere eti ho q'ti remi
o ei pro c. i. c. Insto ut ibi sabe
hoc qz fuit glo. in q.o. sp's
i glo et p'oe sit l. de solu dandis
fas. Dicebat q' s' ps ferat sinus oio legat
de q's det. expti ni c. in q. repbude
ptis xi qz alioqz vel si sit i ferat tu
si vidy i pdr i pcto gnodicans et
tur legab. scq quem admitty
i pcdeat sei q' mandam no. legit ad
i pule si ni acceptu p'te ad ipo q' ut i
ad i po. i. q' q' tto p't tolli' rpha
tu qua ad ecia mddere tta let
habebat q' legato ho erroris q'm
i pma et hec q' b' experiri de seu
do vendy q' verbi et i p' hy q'tte
so vendy q' vero et i p' legy q'tte
pt legis q' ibi mandabat absolu
si abs diffic... sup ea cas

testes q' tunc p'no
adiusc pt pub' hic

testificato q'petit po. poi despag
pub' ni rii' ubi q'pulsator q'nitur
i. acci' f'm i. delictu inq' exopit hic
s'ferebn testium h'ic r. cumlo
qui dempt talitur c. ut. q. q'nato ino
agit p' manifesta ni q. i. de mstific
i noriis no puebi ordinis de
unpuny admiss in c. insto s' q' ibi
p'p't hac vesp in ad duct exceptione
q' s' ess religiosi i nolij maxi noto
q'dr p' alu possit i osti e. dama
q' fuit dt actor q' at alios serile
nude no pt res q' cui i cabit bene
q' di an actori an reo dicer at p' alios
legi posse dt q' actori q' excip'tae
i negando i enlat bon q'pdi de nimt
sup hac et p' dicta q' teste hic p're
tur p'urs merulus q' eisq dicere q'
alia et alius eq' fuit ff deo q' cte
l' notitiar. n' ino insti no q' dt q'
alios verilate legere exopit q' p'ti
ff de q'bt s' i exceptio et p'it aptit
q' q' dr actor fe. c. p' bonit eam
Capitulo teste fraude
illis detegi q' p'nuo capit
adueppimo pubicaxit

p' pat fer ptio et indici
dico ni ibi nos e. decit q' agebatur
cui at q' q' tto bos deq' dictam i. c.
ptt ubi tunc i videbitur experiri q'
parti. dico due q' intulenti decreto
bi pudeu at de emp inp si vero dico
i q'. q' temerarium fuit et celare vente
e pmi) mori. hoc q'app'ae i forulo
q'time testes q' r ab large q' i forun
alii pnt lenisse ff quocis in foru q'no
m'c fuit aliq' spacios ff de subot
forum et i forum legato l. i. alii pnt ff
large p'cepit et i forum et alios
ed i fruetib alii sete q' i foru
firta et separa q'ferta sup testo vel
q'trario hic i q' at q' i termino dato
ad producta i foru no s. inter
pduci testes q' i foru pducti p'
p'ntes no aut testes at q' in dicto
erue q' si lege municipali
i p'o. pe fravercanti plius i foru
quis testes corrupit vel plius ibi
pducat inq' i curret addam pena
p'cedi p' fto i foru dices q' pt at hic
ceum q' nate i fori q'time et
testes i q' q' vera p'acies imuni
pur inteligenda i p'no vero et p'o
p'ntingit ut s' q' q' abstrag'de et
iudic... et q' repug... ff de verbis
ne debet i ter'm vera s' eq' usi
loq' di ff de fori i fori et i foru lega
s' de delicto q' aptat et q' de fto do
h'ec q' quas rocs dio. at habere termi
i hac ha e. insto l. p' dt in q' testes
debet fit. q' testificanti q' eu' qui
ad i pdr e. insto hic ibi i fit
dic ut ibi. q' sup toto neg'o i terrogati

p'cedit eis sup i tura
dico q' pdata rogati

pnt testes coram dico ni ibi q'pulsator
et i publicari quos at pt rogati tunc
maxie dimo q'ad vel odio se
pub' tam at c. q'no de testi i. negocii's
at ita q'pulsator cu' hac dig' q'rebidet ss
negotiu ecc'ta vel q'pe eccte lege
at q. i. q' ecclq debet p' sup q'testi

— Item dicitur quod dicit quod nemo est cogendus testimonium in facto alterius dicere contra et idem in quibus delicta non debet remanere impunita de se non quod ut fame et hoc si illam opinionem quam hic quod est in criminibus testes compellantur se tenentes quidam dicunt quod hic loquebatur tantum ut glossa et in alia tamen dicebatur quod si etiam quando non posset stare tamen matrimonio ipsorum et quod in ipsum erat fuit de facto

cerorum eius super consanguinitate, de cogendi sunt testes pro

parte dicitur ii ro ubi in tu dicitur sic ff de tributo l. quarum. i non solum dices ex necessaria quod hic compelle dicitur quod probet hic se nolo quod ad amore vel timore [illegible] liberando testimonio de c. veritatem — Ideo quod in criminalibus cogendi sunt testes Item quod sit quando de quo dicitur de consuetudine c. [illegible] — In glossa in fine ubi quantas pro. in dictum [illegible] quidam ut si religiosa pro se [illegible] quod possit [illegible] quod [illegible] propter non mandari [illegible] preceptum eius

testes synodales quod super matrimonio causa ardua deponunt

tamen delicto super eo iurare non cogitur propter suspicionem aut in facto repelli pro tamen si errant in criminibus non debet testes corrigere dicitur sunt dicitur in m pro eo ut tria sint dicitur [illegible] synodalibus allegari [illegible] gan [illegible] forte hic habebat consuetudo in spiritualibus vel [illegible] si sola dehiscere ad abolendum dicit alibi i pro alios testes receptos tamen ardua non [illegible] in tantum ut pro tamen aliter super matrimonio in [illegible] quo dedere ut se debeo [illegible] et ex in de prima vel deheretur [illegible] accessio matrimonio in generalibus quod [illegible] tameri dicitur dicunt aliquem [illegible] vel alium pro loquitur [illegible] [illegible] eos non [illegible] correctos sed tamen stabunt pro eo de testibus [illegible] loquitur [illegible] et post [illegible] sed eadem ratione [illegible] et hic statim pro eo ubi [illegible] deponunt quidam tamen maior fides adhibetur pro eo quod si debilitat [illegible] — [illegible] [illegible] consilium [illegible] et [illegible] [illegible] prudenter [illegible] modum et [illegible] de [illegible] tu dicta et nisi cognoscit

cum probatur se corrigere in [illegible] in [illegible] vel capellanorum ff de testibus l. in testibus vel [illegible] ut l. quod [illegible] et hoc cum corrigit [illegible] non corrigit si [illegible] et hoc fuit [illegible] [illegible] [illegible] [illegible] [illegible] et hic fuit [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] maior [illegible] fides est adhibenda in [illegible] de testibus [illegible] vero est non [illegible] dicitur quod [illegible] aliis [illegible] [illegible] [illegible] [illegible] [illegible] assignatis [illegible] quod pro loco [illegible] in [illegible] [illegible] et [illegible] [illegible] loquitur ff de fal. l. [illegible] ff de testibus l. [illegible] [illegible] testes [illegible] non [illegible] [illegible] de testibus l. [illegible] [illegible] et [illegible] [illegible] [illegible] de teste [illegible] [illegible] testium synodalium [illegible] [illegible] [illegible] repellit testem Item [illegible] [illegible] se [illegible] ad [illegible] — Item quod testes sit corrige [illegible] sunt. [illegible] qui sit testes synodales dicitur quod sunt testes qui [illegible] in synodo ut [illegible] [illegible] dyocesis et referant matrimonia, male [illegible] et crimina publica [illegible] de [illegible] quidem [illegible] quod [illegible] episcopus in synodo [illegible] et de [illegible] non poterat [illegible] in [illegible] [illegible] [illegible] de [illegible] [illegible]. non [illegible] cum [illegible] triplice in [illegible] quod non teneantur isti testes iurare [illegible] [illegible] ardua [illegible] causa delicto, [illegible] [illegible] [illegible] in [illegible] quod [illegible] compellitur testificari [illegible] non iurare [illegible] quod loquitur in [illegible] in quo [illegible] testes deposuerunt in [illegible] [illegible] in novo [illegible] sit [illegible] [illegible] [illegible] [illegible] stare dictis illorum vel [illegible] de novo deponere ut [illegible] [illegible] pro [illegible] dicit quod non compellitur [illegible] testificari [illegible] iurare [illegible] si non posset [illegible] [illegible] [illegible] [illegible] deponere si non iurare et hoc est verum [illegible] [illegible] tamen dicunt quod isti deponere [illegible] in [illegible] [illegible] quod est [illegible] [illegible] quod propter suspicionem in facto repellitur [illegible] [illegible] quod [illegible] non repellat [illegible] [illegible] [illegible] [illegible] [illegible] episcopus cum synodo [illegible] ad hoc officium deputando [illegible] [illegible] et [illegible] [illegible] [illegible] quod [illegible] [illegible] delicti non removet [illegible] [illegible] [illegible] [illegible]

de eccl(esi)a et quia acceptis hoc q(uod) p(ot)e(st) cu(m) non
ignores dec(retum) p(ri)n(cipio) h(uius) t(itulo) di(cit) q(uod) no(n) possit
p(ro)moveri s(ecundu)m d(octo)r(em) a(nte) fides a(nte) durata
esse ff. Jnglo(?) i. s. h(uius) c. g(e)n(er)ali
i(n) actib(us) officialib(us) q(ui)n i(m)mo offi(ci)um s(unt)
[illegible] n(on) e(st) [illegible] i(n) p(re)iudiciis [illegible]
[illegible] testes [illegible] addes
act(us) [illegible] s(ic)ut [illegible] ad
[illegible] act(us) [illegible] et [illegible] i(n) [illegible]
s(upr)a rel(ictis) no(n) [illegible] no(n) [illegible]
[illegible] ad [illegible]
[illegible] ff. Jnglo no(n) [illegible]
[illegible] ff. Jnglo [illegible]
alii testes corrigit [illegible] alii addit
[illegible] alii [illegible] vel [illegible] alia q(uod)
[illegible] ut s(upra) [illegible] duo i(n) [illegible]
corrigit [illegible] relinquitur
arbitrio [illegible] addere [illegible]
s(upra) [illegible] s(upr)a [illegible]
i(n) remedium [illegible]
[illegible] no(n) [illegible] fides [illegible]
no(n) [illegible] relinquitur arbitrio [illegible]
[illegible]
[illegible] s(upr)a [illegible]

[illegible] vel [illegible]
i(n) [illegible] cogendi sunt testes

[illegible] et [illegible] de
[illegible] et de [illegible]
[illegible] ut de [illegible]
p(er) testes et i(n) [illegible] lege [illegible]
[illegible]
[illegible] testes [illegible]
[illegible]

[illegible] cogendi
sunt testes [illegible]
[illegible] ut i(n) [illegible]
[illegible] no(n) [illegible]
[illegible]
[illegible] ff. [illegible] testes
[illegible]
no(n) [illegible]
[illegible] testes [illegible] no(n) [illegible]
[illegible]
[illegible] testes [illegible]
[illegible]

i(n) mediatoribus q(ui) no(n) [illegible]
et i(n) eo q(uod) [illegible] emolimentu(m) et [illegible]
de [illegible] lege [illegible] q(uod) deponent [illegible]
[illegible] q(uod) s(upra) [illegible] testes [illegible]
et [illegible] mediatores s(upra) [illegible]
[illegible] no(n) admittu(n)t(ur) [illegible] s(upra) [illegible]
[illegible] admittu(n)t(ur) [illegible] no(n) [illegible]
[illegible] ut [illegible] i(n) illo [illegible]
[illegible] alius [illegible]
[illegible] ut dixi [illegible] ubi [illegible] fieri
[illegible] alios [illegible]
[illegible]
Jnglo [illegible]
[illegible] testes no(n) [illegible]
[illegible]
[illegible] Alter [illegible]
[illegible] testes no(n) [illegible]
[illegible] alter [illegible]
[illegible] et [illegible]
[illegible] no(n) [illegible] testes [illegible] et [illegible]
[illegible]
[illegible] alius [illegible]
[illegible] Alii
[illegible] alii
[illegible] alii
[illegible] no(n) Alii [illegible]
[illegible] no(n) Alii [illegible]
[illegible] no(n) [illegible]
Alii [illegible]
[illegible] no(n) Jn [illegible]
[illegible]
no(n) [illegible] no(n)
[illegible] et [illegible] et
ubi [illegible] hoc [illegible]
[illegible] Jnnotes [illegible]
[illegible] corrupte
[illegible] unus [illegible]
[illegible] et [illegible] testes [illegible] et
[illegible]
[illegible] ubi
[illegible] et [illegible] ut [illegible]
[illegible]
[illegible]

Si accus[ato]r ad penam [illegible] no[n] p[otes]t
appellari [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ut tur
appellant[ur] a[n] no[n]. Alii dicunt q[uod] si testes
[illegible] [illegible] appellan[t]. Alii q[uod] [illegible]
[illegible] alios no[n] appellare [illegible]. Alii dicunt
q[uod] [illegible] [illegible] [illegible] [illegible] [illegible] vel [illegible]
appellare [illegible] no[n]. Alii dicunt [illegible] [illegible] tur
appellare q[ui] [illegible] no[n] depend[ent] [illegible]
[illegible] q[uod] ubi [illegible] [illegible] [illegible] [illegible]
[illegible] criminosa appellare [illegible] no[n] [illegible]
[illegible] q[uod] [illegible] appellare [illegible] [illegible]
[illegible] corrumpitur q[uia] [illegible] [illegible]
testes [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
offendere [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] applaudat [illegible]
[illegible] q[uia] ubi [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] fisco
et [illegible] [illegible] q[uia] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] testes no[n] appellari q[uod] no[n] [illegible]
[illegible] appellare [illegible] [illegible] q[uod] [illegible]
appellant [illegible] [illegible] no[n] [illegible] [illegible] crimine
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] appellare
testes [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] Si [illegible] de testibus [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] et alios et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] q[uod] testes q[ui]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] q[uia] [illegible] [illegible] no[n] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
q[uia] tur no[n] [illegible] [illegible] [illegible] [illegible]
[illegible] no[n] [illegible] [illegible] [illegible] de accu[satore]

[illegible] appellat [illegible] [illegible] [illegible] [illegible]
[illegible] q[ui] no[n] [illegible] ad penam [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] de [illegible] [illegible] [illegible]
[illegible] [illegible] delegabiles [illegible] [illegible]
aliquos [illegible] [illegible] [illegible] [illegible] no[n]
q[uod] credo [illegible] [illegible] [illegible] et credo
q[uod] si ordinarius [illegible] appellare [illegible] [illegible]
et [illegible] [illegible] [illegible] ordinarius
[illegible] [illegible] q[uod] si [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] no[n] appellare [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible] [illegible] appel
[illegible] [illegible] [illegible] no[n] [illegible]
et [illegible] aliquis de [illegible] [illegible] [illegible]
Cap. [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
et admissi [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et de [illegible] [illegible] [illegible] no[n]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] absolute et [illegible] [illegible] [illegible]
[illegible] [illegible] q[uod] no[n] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] de [illegible] rigore [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] de [illegible]

[illegible] de [illegible] q[ui] fuit [illegible] [illegible] de testibus [illegible]
[illegible] [illegible] q[ui] fuit [illegible] martinus [illegible]
de [illegible] [illegible] [illegible] [illegible] debitum et
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
alios [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et aliquis et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] no[n] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible] [illegible]

autenticum alienum et est alias [illegible] ...
quod possit fieri [illegible] et aliqua [illegible]
littera de qua [illegible] appositum est sigillum
sufficit .i. de [illegible] cum dicta
[illegible] pro [illegible] sit ille qui scriptura fecit
et sigillavit et autenticum [illegible]
[illegible] sufficit [illegible] sigillum autenticum
[illegible] autenticum [illegible] non
[illegible] scriptura dicatur autentica
[illegible] quidam dicunt quod illa que sit
autentica [illegible] quacumque [illegible]
[illegible] publica [illegible]
[illegible] autentice cum subscriptione testium
[illegible]
[illegible] sigillum autenticum
[illegible] cum subscriptione testium [illegible]
[illegible]

[illegible]

ad testes [illegible] confecit instrumentum [illegible]
[illegible] publice [illegible]
tabelliones [illegible] Barbara [illegible]
[illegible]
[illegible] instrumentum [illegible]
[illegible]

[illegible]

artis [illegible] quo conficitur aliud est dicere quod instrumentum
preceptum fieri ab uno [illegible] perdurat vel aliis
est sufficiens pro quo confectum est et [illegible] fuit publicum
obligationes aut [illegible] quibus confectum est in-
strumentum notario et postquam [illegible] illis in quo
instrumenta [illegible] probatur [illegible] non omnes
obligationes [illegible] probantur ut notatur ff de re
iudicata [illegible] vel [illegible] et [illegible] videbatur
sed quod instrumentum confectum solum de mandato [illegible]
quorum interest et [illegible] in tempore [illegible]
post mandatum possit confici. Aliud dicitur
quod requiritur [illegible] aliud dicitur quod est
tertius cuius nunc non interest potest man-
dare confici instrumentum et hoc videtur probatur
et probatur in [illegible] quod non iure prohibetur
ff de probationibus l. ab ea [illegible] quod est fiscus contra
[illegible] praetermissa [illegible] peremptoriis
restitutionem [illegible] ff de iure fisci l. in fraudem
[illegible] et [illegible] et tamen ille qui non
precepit instrumentum fieri non potest petere sibi
edi ff de edendo l. si quis [illegible]
et [illegible] interesse [illegible] ut precipiat
fieri instrumentum ut potest possit aliquis edi [illegible]
tere. Ubi dicitur [illegible] et [illegible] tabellio
[illegible] scribat in instrumento se fuisse rogatum
de confectione alioquin si forte mortuus vel
[illegible] et non recordaretur de rogatione
[illegible] valere instrumentum in [illegible] de tabel-
[illegible]. Aliud dicitur quod [illegible] rogatus [illegible]
[illegible] [illegible] et hoc [illegible]
[illegible] in [illegible] [illegible]
ubi [illegible] in [illegible] officium tabellionis
et publicum dicit in publico rogari non in
secreto et si de aliquo dubium fuerit sibi
veritate [illegible] narrari ab aliis
est ibi [illegible] tamen quod valet
instrumentum licet occulte sit rogatus oritur
tamen suspitio [illegible] tollitur
tamen suspitio [illegible] ut [illegible] secreto
conficitur. [illegible] quod si producatur
[illegible] scriptura [illegible] aliquis [illegible] ipse [illegible]
[illegible] in [illegible] ubi [illegible]
[illegible] non [illegible] [illegible] de non

[illegible] l. in [illegible] quod dicitur ut non de
[illegible] si [illegible] negat scripturam [illegible]
quod [illegible] confecta et [illegible] producitur
de non [illegible] cum [illegible] et [illegible]
[illegible] producatur [illegible] aliquis quod non
est scriptum manu sua et dicatur non esse cre-
dendum est si dicatur quod [illegible] per certum [illegible]
sigillum autenticum non est ei credendum [illegible]
instrumento non est credendum nisi per manum publicam
sit confectum vel [illegible] ei de [illegible] fides
exhibeatur [illegible] [illegible] publicis [illegible]
publicus de probatione [illegible] libro [illegible] de
[illegible] officium fuit de quo [illegible]
[illegible] de probatione [illegible] recurre [illegible]
[illegible]. Conclusiones [illegible] scriptura autentica
est [illegible] amicto fecit fidem. [illegible]
[illegible] est [illegible] extrinseco amicto [illegible]
si negetur non sufficit [illegible] possessio
officii [illegible] instrumenti [illegible] est [illegible]
[illegible] quia [illegible] [illegible]
[illegible] non credatur nisi certis [illegible] et
hoc [illegible] quinto quod non [illegible]
tabellio scribere nisi [illegible] rogatus est
[illegible] quod rogari [illegible] ab [illegible] quorum negotium
est [illegible] quod rogare potest [illegible] non
interesse. [illegible] quod debet esse rogatus [illegible]
in instrumento [illegible] quod debet rogari in publico
non tamen [illegible] in secreto [illegible] tamen suspitio
et tollitur suspicio si [illegible] publice. [illegible] quod
scriptura [illegible] [illegible] scribente si confec-
[illegible] vel negetur [illegible] est scriptum

[illegible] est inter
publicam et autenticam [illegible]

In [illegible] esse publicam est si non sit [illegible] fides
adhibenda. Autentica vero est cui fides
adhibenda et [illegible] non [illegible] autentica sit publica
si non [illegible] vel melius [illegible] exemplata
[illegible] vel autentica [illegible] originale
est non manu publica scriptum vel acta
iudicialia vel scriptura [illegible] subscriptione
[illegible] et [illegible] publica [illegible] [illegible]

in manum publicam vel aperte sigilla auctentica et sic scripture est. Mortuis testibus creditur ... non sit vitiata ... scripture ... non creditur ... testibus vel ... apparere inventum ... aliter ... ad ... expectat auctenticum ... testium ... non moveret ... sigilla apponere ... non ... ut ... apponit ... appposuisse ff. de testamentis ... sufficere ... de testamentis ... vel legatum ... sigilla apponere ... non ... sigilla ... credere ... sigilla ... vel ... non creditur ... sigillo alieno ... non habet ... ff. de testamentis ... sigilla ... ad ... sigillum testium ff. de ... sigillum auctenticum ... sigillum ... super ... sigillum ... non auctenticum ubi apponens ... non ... et testes ... sigillum ... de testamentis ... et ... non sculptura non possit ... ff. de auro et argento legato ... argenti ... sigillo ... non auctenticum ff. de ... publicum ... tabulam ... ad scribendam

... et ... ad scribendum ... auctenticum ... sigillo et sigillum scriptum ... non ... auctenticum ... de ... accessisset ff. de ... lege ... decretum vel auctoritas ... ff. ... de ... ubi decretum ... sigillum ... auctentice mandatis ... et non ... sigillum ... auctenticum ... non ... auctentica ... de tabellionibus ... auctentice ... et ... absurditates ... tabula ... sigillum alieni ... sigillatas ... scripturas ... apponere ... sigillum testium ... vero ... vobis

Exempla capitula ... non ...

... non ... non ... vel ... de ... peritorum ... sigillum ... et ...

hos q[ui] scire [illegible] [illegible] aliud ar[gumentum] n[on] p[otes]t quis invito
ignorantia [illegible] [illegible] absolvit absente
n[on] [illegible] [illegible] [illegible] et d[icitu]r [illegible]
de l[itte]ris [illegible] [illegible] et [illegible] i[n] falsarios
l[itte]rarum ap[osto]lic[arum] sigillor[um] et bullar[um] [illegible] de l[itte]ra i[n]
[illegible] q[uod] d[e] n[on] [illegible] [illegible] l[itte]ram [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] cancellando vel
diminuendo [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] facere [illegible] [illegible]
aliud [illegible] et [illegible] [illegible] de l[itte]ris [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
accepi[m]us [illegible] redarguendi
privilegium [illegible] [illegible]
[illegible] exhiberi [illegible] [illegible] et i[n] loco [illegible]
et i[n] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible] i[n] p[ri]mo ubi [illegible] [illegible]
Et adverte q[uod] [illegible] [illegible] [illegible] [illegible] [illegible]
d[icitu]r [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et collegio [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
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[illegible] [illegible] exhibendo [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] privilegio[rum] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] i[n] robore [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible] assign[are]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
i[n] aliq[uo] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] Augustini quas
i[n] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] narratio et [illegible] [illegible]
[illegible] In [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] i[n]
[illegible] et illas [illegible] [illegible] In [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
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[illegible] et [illegible] [illegible] [illegible] [illegible] [illegible]
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[illegible] [illegible] apud [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] aliud [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] ff. de
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
i[n] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ff. de [illegible] obliga[tionibus]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] ff. de publi[cis]
et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] Instrum[en]tum quo
quis [illegible] [illegible] [illegible]
[illegible] i[n] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ibi [illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
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[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] quo quis [illegible] [illegible] [illegible]
i[n] [illegible] [illegible] [illegible] [illegible] [illegible]
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[illegible] [illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
redarguendi [illegible] [illegible] [illegible] [illegible]
redarguere [illegible] [illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible]
[illegible] absolvitur [illegible]
[illegible] actoris [illegible] [illegible]
[illegible] [illegible] [illegible] i[n] [illegible] [illegible] [illegible]
vel [illegible] vel [illegible] sigilli [illegible]
[illegible] [illegible] actoris [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible] [illegible] de [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
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[illegible] et [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] n[on] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible]

non est necessarium ut non [illegible]
[illegible] instrumentum [illegible] — c. Rursus
hac [illegible] instrumentum exhibeatur [illegible]
[illegible] et loco [illegible]
et [illegible]
[illegible] arguit [illegible] in instrumento [illegible]
requiritur [illegible] ut [illegible]
[illegible] et [illegible]
in maioribus [illegible] C. de appellationibus [illegible]
de [illegible] de testibus [illegible]
[illegible] arg.
[illegible]

[illegible]

erant in [illegible]
[illegible]
[illegible] originali [illegible]
[illegible]

c. i in subscriptura pa et dr comparatio qui
pt plantas que una scriptura parificatur
alteri ex. de ii de quo in scrinio fit c
paro dr aut loquimur de publico aut de
privato si de publico tunc aut e cum solepte
completum aut deficit in solepte si e completu
tunc si quis sibi non fit comparatio quia aute
publicum compub. et tunc specialiter in meo
nut C de testi l. publici aut amanu
publica et tunc ei statur C de p ea.
publica et tunc ei statur C de p ba.
l cum precibus dr quod hec procedit ubi q
fieclaur adversarius quia confecta manu
publica persone negat sed tunc fit c paro
Si aut deficit solepte tunc aut solepte
temporali aut forti si temporali ut que debuat
ea tunc dicitur quod non fieri comparatio quia
ex se comparatio non probat i.e. non e quod
supra nec in scriptura publica ex loco ut anta
uidentur scriptur, sibi sit expresse ex ff.
de nuntio arti l. i. Si aut sit grandite
et ad deliberationem ex non requirit causa ff
de pedar l. ete parte Si aut e ad ob
legitimum be ut nota q i e si ceteris Si
aut desinit solepte forti ut deluto nuo
testium loco et tpe et tunc non e fuenda
comparatio quod ex comparatu non probatur in Exemplo
cum aut publica fit comparatio ut in aut adhec
C e ei si aut loquimur de scriptura privata
aut loquitur de illa ad quod dz fieri comparatio
eo et tunc requiritur quod habet tres testes
in scriptis et quod viderit illi vel alii quod in
conscripserunt si deficit tamen contradictum de q
in l. si C si certum petatur in autentico ubi posito
in Si qiclaur de scriptura ex qua fit comparatio
tunc aut adversarius utitur ea aut non
si utitur ea et tunc non e necessaria subscriptio
testium ut in aut adhec C eo et e ro
quia p et non tenetur ferras Si non utitur
ea tunc e necessaria subscriptio testium et si ipsa
confectam adversa fuere scriptura manum
illis vel aliis e necessaria subscriptio testium
non tum requiritur quod viderint tamen aliquid
differt quod publica et privata in quibus

Item differt quod in tertium ad privatam tamen
et solepte forti fit comparatio ut e si quis sibi
quod non e q. lege priva in scriptura careo so
lepte forti si pter C de legibus l. non dum
in mo videtur ddm quod privata ff muniatur testibus
ad p dic non publica nam testes non ex formam
in scriptura ad pdu ad solepmizandum et fortidi
contractum vi non fit dici ut privata scriptura
qui testes sit defet sed ad tam in duarum
comparatio autem quia non utitur adversarius
in ex. ut per quas fiet comparatio dr producte
Item per eos quibus indicio committit ut scriptoribus
peritis C de remul l. qpl et fieri dz
indice presente ut dt glo in aut e ei q si
vero in tertium an ad quas scriptura cuiusque
generis fiet comparatio sicut dt quod publica
ad publicam et privata ad privatam non aut
privata ad publicam Jo dicat quod privata ad
publicam et eq non aut eiusdem generis
ergo quod sit fieri unius generis ad aliud
si sint eiusdem forme aut non et hec contra
cum in aut qs sit effectus comparationis dicitur
quidam quod quod comparatio fit plena probatio alii quod
semiplena. ut not glo C de unp unp l. i
vo fidei quod hec fit comparationis facultas
que e modo ex pter hoc nam q aliter
vox quis et qualitate atramenti et calami
in aut e ei cum primis Jo de ar dt
quod aut e scriptura privata ad quam p dem
vel in q dem fit comparatio et tunc talis comparatio
tum non admittitur nisi assunt testes qui
approbent quod illa scriptura e et hec casu
admittitur comparatio ad probandum quod non e
necessaria aut e publica et tunc si
tabellio vivit vel admittatur et tunc
sibi credendum ei sine comparatione Si aut non
sunt sit tunc fit comparatio et colligitur hos
casus in aut e ei si sincero et q si
et si quis et q si tam sit e quod sup ea
hoc valet hic quere
sup absolute cruce sigt
opervunt in Veritate recta vel forte ex ipsa

Lais dū inibi adq et pro quis de
vo. q̄ sup. sig̃nos propter emissionem bona
alt' marinum credendū qr asseruerat
se i partes ad executionem lati emissi
plen[ius] s. plene vel scilicet ipso vel de
plenius quo ad nos prudentes illis qui scibunt
suis ipsos qr rāuerunt se et ciūes fore
terre sue [illegible] qr asseruerunt se [illegible]
[illegible] qr non tenentur ab ipso est si sit esse ff
de [illegible] resti. l. i. ...

[illegible]

Eu i s[illegible] q̄ q̄ producē sigilla neg[illegible]
d' sigilla [illegible] pducitur [illegible]
per [illegible] aliorum sigillorum [illegible]
per [illegible] ut dixi [illegible] et [illegible] ad
[illegible] in [illegible] pasto

[illegible] de euangelisti [illegible]
aut [illegible] et [illegible]

[illegible]

ꝯsuetudines ... aca et i tenor ſi d dem
poſſ ꝑte ꝗ no appar ꝗ ſerꝫ ꝑma ſ cas
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ſi ſit pardes ꝑatis ſi ſit diuerſ illo ꝑt
ſtat ꝯsuetud ꝑ poſ cuiꝯ lege i tenor
tolle no ꝑt de ma cu i tenor ꝯ
ꝗ hic dr ſi ſit qua uni et no explicat
de quo uirc go obſtatr rmꝫ q ꝗ
de quo uirc ꝯ dr i intelligedu gnal d
ꝗ dt uirc ſtatuto clarico et tuitu clarico
no ꝗo duo mali et ꝯsuetudiano ꝗ
no tur ſ illam aut indicare go no tur
no tur ꝗpulire ſ ſtatuta ꝗo ꝗ no tur
ſ no colt Ingło i ſi lex ſequens
no tollit ꝯsue ne ꝑcere ſ de illa no
ſtat meaꝗ de ꝯſt t i leg ſ c cu dta aꝗ

ꝑ pubertas arrogatione
ꝗ adequaliter ꝑ a ſtatuta

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dr ꝗ pub aut no ꝑduci alii o dr
reſpi ſ et dr didicerunt dr i ſtatu
ut ꝗ ꝑ ꝑ i ꝗ i reſpu tutam pub
arco i aut decreſci ꝗ ꝗ bono et ꝑ
et i i ſtatut no ꝑ dt i ꝑ no ꝗ no
i offm reg ſ ꝑ i ꝗ ꝯsue et no
ꝑduci i ſtatu ꝑ ꝑ ꝗ ꝑ ꝑ remitt
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ꝗ ſ plogiſmi legti ꝑ ꝗ ꝑ c ꝑ
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tu bulis admittere qui ad ꝑducedu
Iuſ aut differt remitt et ꝗ dr ꝗ re
nunc ꝑ ꝑ ꝑ ꝗ ꝑ unius ut
no ꝑ et ꝑ de ea ꝑ ꝑ ꝑ ꝑ
tur deb ne ꝑ nam ꝗ dr ꝗ no ꝗ illa
reſpon reputur aut ꝑ ſ ꝗ ꝑ
ſ ꝑbetur ſit ꝗ ſerendo ꝑma ꝗ no ſerꝫ

tertia ꝗ ſci et ſ ꝑma qua ille ꝗ dicebat
dr habere ꝑducendi ꝗ fiet nouꝑ ꝗ ad
ꝑ tacita ꝑ ꝑ ꝑ dr i ꝑ ad
ꝗ ꝑ ꝑducenda ꝑ ꝑ ꝑ ad
admittere ꝑducto i ſtatuto talis ſoit i ꝑ
habere de dta ꝗ uidetur dr ꝗ ſ ꝑ
ꝗ gla i cle ꝑ de ꝗ ſ et ꝗ
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ꝑ ꝑ ꝑ ꝑ ꝑ ꝑ ꝑ ꝑ
ius aduerſe ꝑ ſit ꝑ ut tur no
poſſit fieri ꝑducto an no ſit ꝑ
ut tur poſſit fieri ut ſ ꝑ ꝑ ꝗ
ꝑ ꝑ ꝑ i ſtatuto ſ ꝑ ꝑ ꝑ
ꝑ teſtes ꝑ ad ꝑ quas
no no ꝑ ꝑ ꝑ no ꝑ admitti
ꝑ ſit ꝑ ꝗ l mancipiis ff de
adꝑa legat ꝑ ꝑ cu ꝑ
ꝗ l mancipiis ꝗ ſ legatur ꝑ
de mancipiis ſ res ſit i ꝑ tur
eligere ꝑ ſ res no ſit i ꝑ ut ꝗ
ſit diſcreta alia mancipia ꝑ
diſcretu ꝑ eligere ſ i ꝑ ꝑ ꝑ
ꝑ mancipia diſcreta ꝗ ꝑ ꝑ
ꝑ ad ꝑ ꝑ ꝑducenda ꝗ ꝑ
que ꝑ ꝑ ꝑ ꝑ acta ꝑ
ꝑ ꝗ ꝑ i ꝑ ꝑ ſit ꝑ
ꝑ ꝑ ꝑ ꝗ ad ꝑ no ſit ꝑ
cu ꝑ c ꝗ ad fine no ſit ꝑ
res i ꝑ ſ i lege illa res erat
i ꝑ et ꝑ ꝑ ꝑ ꝑ ꝑ ſtat
de ꝑ ſit ꝑ ꝑ ꝑ ꝑ ꝑ ꝑ
ꝑ no poſſet aliqua uira et i ꝑ
i ꝑ ꝑduci ꝗ i ꝑ ꝑ ꝑ
ꝑ ꝑduci ut ꝗ c ꝑ ꝗ i ꝑ
no ꝑ i ꝑ ꝑ ꝑ ꝑ ſit ꝗ
nouꝑ ꝗ i ꝑ ꝑ ꝑ ſ ꝑ
c ꝑ ꝑ ꝯsue poſſ ꝑ ꝗ ſtat
ſigillo ꝑ ꝑ ꝗ ſit ꝑ poſſ dari
ꝑ ꝑ ꝑ de ꝑ ꝑ cu ꝑ
ꝑ ꝑ ꝑ ꝗ ſit ne i ꝑ ꝯsue
ꝗ l ꝑ reges ꝑ ꝑ i ꝑ libri ꝑ
ꝗ ꝗ no ꝗ i ꝑ ſerꝫ de ꝑ ꝑ
ꝑ ꝗ ꝑ ne ꝑ ꝑ

nisi q testib⁹ q dicitur et d de no deponit

adhibeat notarium p[illegible] [illegible] l̄ sepi
sed ne [illegible] q q sit et dicitur [illegible]
Item sed tarde c termini ad producendum i
[illegible] parcitur ne et testes produci de
q no [illegible] publicatis testibus produci i [illegible]
ut sit no alii testes no [illegible] nisi
i [illegible] videtur testes [illegible] [illegible]
[illegible] et not [illegible] d dela q
[illegible] de [illegible] [illegible]
posse [illegible] publicatio cu tur testes [illegible]
[illegible] Item sed [illegible] [illegible] terminu
[illegible] ad testes producendos [illegible]
[illegible] [illegible] [illegible] testes
recipere quod q no [illegible] terminu
[illegible] q [illegible] terminu [illegible]
ad [illegible] [illegible]
posset [illegible] [illegible]
[illegible] [illegible]
[illegible]

[illegible] i [illegible]
q dec i [illegible]

[illegible] testes [illegible] [illegible]
[illegible] appellatio [illegible]
[illegible] appellatio [illegible] [illegible]
[illegible] [illegible]
[illegible] testes no [illegible]
[illegible] et quando
[illegible] [illegible]
[illegible] et responsum reddi [illegible] libros
[illegible] [illegible] et hic
pari [illegible] possessa [illegible]
[illegible] nisi [illegible]
[illegible] denovo [illegible]
[illegible] et [illegible]
[illegible] denovo [illegible] no
crederetur de testibus [illegible] et [illegible]
[illegible] de testibus [illegible]
[illegible] filia [illegible] [illegible]
[illegible] libros [illegible]
no recordari [illegible]
[illegible] et [illegible]
ut [illegible] de testibus [illegible] et [illegible]
de [illegible] q [illegible]
[illegible] et [illegible] auditor

[illegible] [illegible]
[illegible] et [illegible]
[illegible] q [illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] de testibus et [illegible] testes [illegible]
[illegible] [illegible] de q [illegible]
q [illegible] q no [illegible] testium
[illegible] q testes no recordent [illegible]
Item q [illegible] i testes i [illegible]
[illegible] testium testamentarium
[illegible] de testibus [illegible] Item q i [illegible]
[illegible] testes
et i [illegible] Item q [illegible] q [illegible]
[illegible] [illegible]
[illegible] Item q [illegible]
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[illegible] Item q [illegible] [illegible]
et [illegible] no [illegible] et [illegible]
[illegible] [illegible]
[illegible] q [illegible] no [illegible]
q [illegible] et [illegible]
[illegible] [illegible]
ut [illegible] [illegible] libros
et [illegible] Item [illegible] q
publicatis [illegible] testes [illegible]
[illegible] no [illegible] q i
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] no [illegible] i [illegible]
[illegible] [illegible]
de testibus [illegible] [illegible]
[illegible] q testes no fuerint [illegible]
[illegible] de q [illegible]
[illegible] [illegible] et [illegible]
no [illegible] [illegible]
[illegible] [illegible]
no [illegible] [illegible]
[illegible] no c i [illegible]
[illegible] [illegible]
[illegible]

apparet de dictis supra in c. exceptionem ... [illegible]
quod iudex ibi de quo, non potuit certificare
Adverte quod tertius et quod non sit
gerardum quod quidam gerardus amicus publique
si non publicaverit quod dictus gerardus ecclesie
in eodem loco [illegible] quod in c. quo et lacus
gerardum quod [illegible] existens
[illegible] defendentes [illegible] capitaneum fuerit
de gerardum [illegible] capitaneum de [illegible]
in eo apparet ... [illegible] quod dicebat [illegible]
dictus fuit [illegible] quod [illegible]
fuisse nec [illegible] cum non [illegible]
modo [illegible] contrariorum convincit [illegible]
non fuit [illegible] si modus adversus [illegible]
[illegible] ut dictum in textu. Item
[illegible] interrogavit [illegible] sola fuit
[illegible] in ferri et [illegible]
secunda quod testes respondent in [illegible]
si non interrogati non possunt respondere
[illegible] si non fuisset [illegible]
[illegible] probat in [illegible] probat gerardum
[illegible] testes [illegible] gerardus ipse
non sunt repugnantes [illegible] repugnat [illegible]
[illegible] et ipsa [illegible] exceptione de
[illegible] de testibus [illegible]
[illegible] ut [illegible]
[illegible] de testibus cum [illegible]
[illegible] quod non repugnat [illegible]
[illegible] repugnantiae [illegible] de quibus testes
[illegible] ut si in [illegible] fuisse
gerardum [illegible] singularis [illegible]
[illegible] singularis [illegible]
et [illegible] quod si [illegible]
[illegible]
[illegible]
[illegible]
et [illegible] Item et [illegible]
dictum fuisse quod [illegible]
[illegible] si [illegible]
quod [illegible] et [illegible]
in [illegible] et [illegible]
[illegible] singulis et [illegible]
[illegible] testes in [illegible] respondentes in [illegible]

si quod [illegible] aliquid dicit quod in [illegible] reddere
[illegible] per l. a. ff. [illegible] testium [illegible] et
non [illegible] probat quod [illegible] fuerint
[illegible] de [illegible] et [illegible]
[illegible] quod si sit [illegible] testes [illegible]
[illegible] et [illegible] alios [illegible]
[illegible] mortuus in [illegible] in [illegible]
[illegible] amicabiliter [illegible]
et [illegible] testibus in [illegible] dicit
se non [illegible] fuisse gerardum [illegible] in
[illegible] sit mortui [illegible]
[illegible] alii in [illegible] quod [illegible]
[illegible] et [illegible]
[illegible] ubi [illegible] non [illegible]
[illegible] in testes [illegible] de [illegible]
[illegible] negat se
fuisse [illegible] gerardum [illegible]
[illegible] de [illegible] et [illegible]
in [illegible] et si non [illegible] testes [illegible]
negat se fuisse [illegible] quod
[illegible] et [illegible] apparet [illegible]
[illegible] de probat [illegible]
[illegible] ut [illegible] dicit de [illegible]
in testes ubi requiritur maior [illegible]
[illegible] duos [illegible] in quod
duo dicit se [illegible] fuisse quod in [illegible]
[illegible] ipsi [illegible] se [illegible]
[illegible] et sic totum [illegible]
[illegible] de [illegible] et
[illegible] testes [illegible] et in [illegible]
quod [illegible] testes [illegible] gerardus
quod in [illegible] non [illegible]
quod in [illegible] inter [illegible] fuisse
[illegible] duos testes [illegible] fuisse
[illegible] et si [illegible]
[illegible] gerardum [illegible]
[illegible] quod ipsi duo negantes [illegible]
[illegible] ipsi [illegible]
fuerint et [illegible]
[illegible] totum [illegible]
negant [illegible] gerardus [illegible]
[illegible] testes in [illegible] fuerint [illegible]
[illegible] apparet [illegible] ipsi duo
testes negantes se [illegible] fuisse [illegible]
[illegible] repelluntur [illegible] in [illegible]

ad probandum absentiam probatur procedere quam si sit in du-
cam^ ad probandum [illegible] instrumentum cum non sint singulares
quod concordent et quod contestes sint ad recipiendum
id quod in instrumento continetur scilicet illos presentes fuisse.
In quo non se [illegible] esset testes quibus [illegible]
dicere non interfuisse et duo contra dicerent quod
ipse ego interfui ubi gesta fuit res
[illegible] eodem loco et quod sufficientes essent in
instrumento contradictione [illegible] quod duo sufficiunt probare
affirmativam illi autem non probant sufficienter negativam
cum sint singulares in dictis suis non obstante [illegible] de
probata est quod ubi per multitudinem testium reprobatur
[illegible] instrumentum [illegible] [illegible] de [illegible] [illegible]
[illegible] agitur [illegible] [illegible]
[illegible] agitur [illegible]
testes sint [illegible] an agatur [illegible]
testes [illegible] [illegible] sufficiunt duo testes
qui probant sufficienter affirmativam et si mille
negarent se interfuisse illi actui non
[illegible] [illegible] actum sufficienter illi autem illi
duo probant [illegible] [illegible] et sint
deponunt de absentia sua et sint
singulares in dictis suis. Item autem [illegible]
cum aliquis asseritur [illegible] fuisse super quo
in [illegible] [illegible] in quod testes sint in [illegible]
[illegible] negatur instrumentum et
quod actum esse dicitur et se interfuisse non [illegible]
alios testes [illegible] [illegible] [illegible] quod non alii
interfuisse dicuntur cum in instrumento et [illegible]
[illegible] reprobantur de [illegible] [illegible] si autem omnes
non negant vel omnes negant et duo in
[illegible] non deponunt super tenore instrumenti [illegible]
[illegible] de et loco ubi [illegible] [illegible]
[illegible] instrumento [illegible] instrumenti non obstante
testibus [illegible] negantium non potest esse
quod [illegible] fuerunt presentes et duo soli [illegible]
[illegible] si autem [illegible] testes in [illegible] ab
[illegible] [illegible] cum [illegible] quod [illegible] [illegible]
duobus testibus in [illegible] [illegible] in [illegible] in
[illegible] sufficiunt duo testes [illegible] [illegible]
[illegible] [illegible] aliqui dicunt [illegible] et
non [illegible] [illegible] quod si omnes testes [illegible] in instrumento
negent se interfuisse instrumento [illegible]
instrumentum quod [illegible] [illegible] et testes sint
singulares [illegible] [illegible] quod [illegible] se non in
interfuisse pariter [illegible] de alio quod non [illegible]

interfuisse [illegible] quod hoc non est verum
si autem duo alii testes probent duos de
in [illegible] cum [illegible] fuisse cum [illegible]
[illegible] in [illegible] [illegible] instrumentum [illegible]
[illegible] [illegible] [illegible] in [illegible] si in instrumento
est [illegible] in eo quod dicit presentes fuisse.
[illegible] quod [illegible] quod si [illegible] [illegible] et
est [illegible] instrumentum reddatur [illegible] ut l.
[illegible] ff. [illegible] [illegible] si non [illegible] si
non est [illegible] si sint duo aut dicunt se
absentes fuisse et non [illegible] [illegible] quia
potest esse ipsos fuisse absentes et [illegible]
[illegible] [illegible] in instrumento probare [illegible]
[illegible] [illegible] probant absentiam quod singulares
si [illegible] [illegible] actum et [illegible] [illegible] cum si
alii [illegible] [illegible] unus et [illegible]
[illegible] de [illegible] in [illegible] si alii deponunt
quod in instrumento si si alii sint mortui cum
quod duo probant [illegible] [illegible] [illegible] quod
[illegible] [illegible] [illegible] [illegible] alii omnes
in [illegible] [illegible] [illegible] alii omnes dicunt se ab-
sentes fuisse cum [illegible] [illegible] [illegible]
in instrumento quod non [illegible] quod [illegible] [illegible]
[illegible] tabelliones et [illegible] [illegible] quod
[illegible] testium et si dictis [illegible] probant
quod singulares non est [illegible] [illegible] [illegible] si
si dicat se presentes fuisse et de actu
de [illegible] [illegible] quod reprobant instrumentum
[illegible] si non in [illegible] [illegible] [illegible]
dicitur quod si [illegible] [illegible] in instrumento [illegible]
de [illegible] [illegible] non [illegible] [illegible] [illegible]
in [illegible] [illegible] [illegible] ut dicitur [illegible]
si [illegible] si non [illegible] [illegible] quod testes
reprobant [illegible] [illegible] quod [illegible] vel
[illegible] ut l. in [illegible] [illegible] quod [illegible]
[illegible] [illegible] [illegible] et [illegible] duo
testes debent esse in [illegible] [illegible] [illegible]
et [illegible] in instrumento publico [illegible] cum in
instrumento [illegible] [illegible] duos nisi [illegible]
[illegible] [illegible] [illegible] [illegible] non [illegible] nisi

p ssi tuitz C. de no. nua pe l. grud. Ja
dcd app'at dare aspnu ubi q bis repetit
tte sunt tates volunt i stru'ti S. Cum a tabell
lioe et testib3 et gnexe q n' tabellio p'ut
qz p n' testes qz qz testes in testi facit
stu tabellioe n' eqi. Alii ut primo vinz volut
dicere q hec sit arbitriu potestas publice
et auctes i stru'ti ut si i stru'tu est sigilla
tu sigillo regis francie vel qz tabellio
i spe q et sit tres qui i scripti certe
no sit fact' reprobabit. Alii dicut q
dicte no reprobabitur nisi p testes sz duo
i dicte reprobat ut p probet q testes alibi
fuisse. Alii dicut q p volut i pugnare
scriptura q no offerta ubi tabellioe tut
probat q illa die fuerit alibi s pvolut
dicit illu fuisse plus tut ptes requiri.
In volut tenere q p duos solos
reprobari et e co q i stru'tu sz sibi soli
a Basso norii et eis aute habet aut q
ferri dez dom duorp testiu nisi i stru'tu
p testes i scriptis vel alios q pnt put
et i pdtos absuisse asserunt vel tottue
scripta testiu vel q gratia admittatur
i aute e et sic q fere et q p vero
mandent et scripti sz dices exqd
i stru'tu superiur aute absque tabellioe
et ibi sut i scripti x testes nove asscribitur
illos fuisse psentes q no videtur q p p[illegible]
testes q ubi sit i scripti possunt reprobari
dr q ubi x testes assumuntur fuisse p[illegible]
tes dicit[illegible] aliq i q[illegible] hic aut
p duos q q[illegible] p[illegible] aliter fit
tollitur aute norii q fides i stru'ti
ut p adversos de fide fratr' excipitur ag
i stru'tu p testes no sit reprobari q e
p[illegible] luna et de iure ut C. ad velleg.
l. antique. Circa suppositio q i stru'tu pt
reprobari modu i pugnare q alii
aliud dr actu q scriptu tut sc'a scripti vivum
et deponit cu i stru'tu tut posteriori sit.

testiu si vo vel dicut et dies vel sut
mortui duo soli reprobabit q p[illegible]
aliud dicit q scriptu alii volut dicere
no sit actu fuisse et tut no pnt nisi
i dicte reprobari. Quid si q dico i stru'tu
asserit q dicit i certu tu optaio de sto
tu i certu bona q dicit sa dr q si agatur
civil. et i stru'tu e i aliq. sup scripte.

qo

suppositu ut q norius q ficiunt q scripta
i stru'tu hec celu ego q ut et bu e
uno scriptum no sit suppositum excipies q[illegible]
q dut agatur civi' contra q probat e
de fal. l. ubi. Quid si debitor iurat
q no q[illegible] solez nisi p i stru'tu sa val
dr q p[illegible] no passet p[illegible] no q i stru'tu
publicu et e q bonos mores n' val
de fo q pe pro[illegible] q[illegible] e te de p[illegible] q n
ver q si debitor dicit pecunia mutuo na
p[illegible] et l[illegible] e p[illegible] de pac. l. no
i pub[illegible] et tn i e l[illegible] no q nisi p s[illegible]
cura hugo. ap et aim tenet op[illegible]
sa i dicit ut creditor q debitor
de probationib3 cu fonte q e q bonu
publicu et angustiat facultas pdicti q
opio e vera maxie i. agit de pacto
de et pmdeo terre. Quid si testes
i scripti dicitur plus dixisse i testimo
q dicit dr aliud dixisse q sut scripti
p tabellionem cu sit[illegible] an plus an
tabellioni sit a tu e dr q oc dr
Bon gaudebit q no sit scripture q
istu q i tumb3 debet e p[illegible]
mordiam clamores d. de p[illegible] sit
Si n' testi q i stru'tu eade voce. Quid
si cu de testib3 i scriptis e ex[illegible] q pre[illegible]
dr q vali [illegible] et sic p[illegible] put exc'm val
i stru'tu de [illegible] q publica. Quid si q
dicto i stru'o unico [illegible] pt dictis
pt co no obstat i stru'o q plus [illegible]
et [illegible] sibi p[illegible] norii [illegible]
hec sufficit ad ipm pdu scriptum app[illegible]

q̄ fit q̄ fit s̄ bẽdo getteri c̄t de p̄iūt
ob ī decret̄ ex līs q̄m̄ c dd.m de
or caq̄ cū dt̄es et nōt q̄ ubi d̄ q̄
Jun̄ etetas dol̄ ē nōri⁹ dicit aliq̄
q̄ suffiat pubert̄ ee q̄ ē loco tepis
ubi suffiat pubertas ḡter ī en̄ si
ubi etas xx annor̄ requitur in q̄m
ita r̄ alie q̄ q̄ l̄ aut̄ requitur
ple pubertas s̄ xxiiij anno2 sicut ī
aduocto ii q̄ uj fut aut ff de postu l. r
q̄ p̄uenia sicut p̄cur ad negō de
paus q̄ gnia l̄bi ex q̄ nōn⁹ de3 fare
iuri nā celibus gerent⁹ illiatos pu
nitur ul de sic⁹ sanc et li ubel q
sue calcellariz — p̄ut ne p̄tes p̄lā ff
q̄ nō possit p̄r nisi q̄y s̄piura ff bat
d̄ q̄ nō q̄ ēē q̄ bonos mores ḡ q̄
et den⁹ q̄ bat q̄ lic3 p̄cessi sup eo p̄p
quo depoit l̄xo ī intac calo p̄itur
q̄ requirat̄ s̄piciu q̄ nō de cu c
ī l̄ ubi sic nōt hec q̄ de fco q̄ moales
q̄ p̄miserūt ī tres ut eligerent abbā
essa usq̄ ad q̄sup̄tō candele et elegē
rut dcmiū, ita q̄sup̄ icap sūt op leo
elcais cū petitu sūt q̄fero app̄obatur
q̄erat clcā p⁹ q̄sup⁹ candele audator
exp̄ssa siunt tres movrogatoes
p̄ a an cādela sarz q̄sup̄ q̄e quo q̄p̄mis
sera elegit sūt q̄ nō s̄ an cādela
sarz q̄sup̄ q̄e quo q̄p̄missera elegit de
fco videt q̄ sit . t̄c an q̄p̄missaria ē
legerit sit ual. l̄ue videt q̄ sit ex̄ṗus
app̄obat iij clcā de p̄mis ex̄ṗus sacatur
q̄ p̄a p̄pō ī telligebat̄ dcci unus
p̄a dcc̄ fci tēr de clcāe uingz nō
fci sunt ind̄rcatu q̄ s̄ b. roim ubi
inter negāo fc h̄ie cūru q̄uidaz
lic3 hen3 defco . clemens in p̄ma un̄
eliam p̄mura et cassauit elcā3 nō obstat
d̄ a ducta q̄ lic3 sicut unus ī dalidū
statur q̄ p̄ cū p̄iccatos fcm̄ p̄p̄fco
et defco uir si nō fit elcō ee solū
unus si solu fcī ual q̄ siut duc elcāes

Guo q̄texti q̄p3 cuia resorti ad u̇o et
fcm alia ad fcm at p̄p̄o q̄ cliu nāo
fcm s̄ c . exp̄re c̄ay —
defco hec nō ualet
ipm̄ p̄ poi q̄rela
ī p̄mo na mater⁹ et p̄a hui⁹ de fogp̄
exp̄re figura ī hā q̄cedas f. cu ui lco
rigore p̄mi mandati F Jngla . ī plab.
dē ī defcu orois ecc̄ dcois dñ . nō obtē
illo defcu p̄ossit ī purge q̄song ī t̄ eo
tñ tut s̄ aliquos uidex ff libit l̄c̄s
p̄p̄itas alii dicūt hac loc3 nisi ēē
ēē acutz alii dicūt q̄ sp̄it h̄c gr̄e
erit p̄p̄ite q̄ q̄ficitur cū uilla
maturitate et sūt hodo s̄ de F q̄uos
h̄c ī Ju lūs uiste sic⁹ fc̄ c q̄ p̄cce⁹ et
l̄ite app̄ aud̄re qu
p̄ti fiat petenti nō fuit
ebi cau ī p̄ui ī p̄m̄ta s̄ p̄ot q̄rela app̄
ī uidcu dt̄es et p̄mū ibi uap̄ app̄etimus
ī mit q̄ ē hā q̄ sicans p̄ossit ēē ad eps
q̄ p̄cid fit dan eciā ad eps ua ex ui
caula xx q̄ ī ples dccc dadū s. tri
nō p̄p̄e d̄ sicans ī tco ut dyi de ri
p̄p̄ot de q̄ sua doser et ē p̄cedeas
sup hic pup q̄ bingei de uedi exhibua
— sio q̄ cex dele q̄ p̄ac ī guera de
muleu p̄c ē ī p̄c q̄ cuia ī p̄m̄ta sūt
ecnda de p̄ria ex p̄c q̄ ī nouaria
app̄e p̄en dicūt iudicucindā ī qo
app̄e dcemebat Ju poc lata ē p̄mū
q̄ . q̄ d̄ p̄mi3 ī cel ī uisti ī ca app̄is
d̄ app̄⁹ exhibe ī p̄m̄tu p̄ue q̄ ue
ī p̄urgre d̄ app̄andi uideas debet in
cel s̄ debit ego ampl ī ino cu exhibe
m̄q uidex q̄pocli ul ad exigendū
d̄ Ju q̄ sit q̄ istud ī p̄m̄tu ē cac ī mo
d̄ Ju q̄ uidex ī trog alit an hāt ī
p̄m̄tu ccl an p̄ua sit lata s̄ eo ff
de ī terro ac l. p̄te et s̄ negauit
cogetur ccde cel remiut cel
p̄mū bit uidex s̄z p̄mam lz ē nō
ualc ff de ī ter ac l. nō alienū
nā q̄fessū p̄ue p̄ue ī uid ē p̄rabū

sup p̄lli de mochi recuperat ss ec q̄ d
ualit uacans⁹ ex p̄ pueri

q̄o . utrū aut nōri

q̄o

cādela

q̄o

ff ad l. arg l. priuile et ff rure rustic
cu ff ofesso ff de i tec. ac l. de ced. q
cedunt de ofes c. ii libro pt ac negato
pua p. ibi i actis prout et ofes et ci
mutabit i pretium et negato pt prius
ff inutabit i ar ..... c. de libe ca
l. ubi ii q. i. multa dicuntur ....
ff vidit p..... probat ..... professio de
.... ff de i tec ac l. de certe
q .... ibi ..... ff professa
pt ..... et .... agit
et ...... litte qui petit copia
.... no .... litte quidem
no admittit ..... de multi ....
.... et dat ..... agit multi
... pretius ... agat ... notare
... et tutoris nouit ff
de ..... lib. volo ... poderes q
.... appellatio ..... appellatio
et i. x. dies de ap. ... media lib.
et ... pducit ..... fa ...
...... littera
... appellans no possit ..... copia
... appellatio ... appellans
.... instrumenta appellans dicis ... no ... ann
.... no pducunt ... instrumenta ... media
littera ... no pducit ..... que
.... negotii ... petit ... q. non
appellatio negat ... mutare ... fi no
fuit appellatio ut .... tempit ...
..... petit ..... debuit
.... c. a. libro ... quod appellans .....
... vigore appellans ... ann ... fiet ...
... de p....... de causa ap. de ....
... cum i iure ff ..... de his
... irreuiabilis uel no ..... effectu
dicit de inhibitione ..... de rest ....
... et ... non fuisse
uerans ... et quaere ... aliis et si
... certa ... erat ... in mo. pro
de ..... et fuerit .... quod i
instrumenta ..... q. debeat q. dicere
minute debeant uicana et ...
fuit .... dicere dicte de uiue et
... petebat ... instrumenta ...
... dicere minute et ....
delegata appellant ..... quod ...
habebat ... ann ....
pt ... et ... de ... et ...
... i illos ... q ....
... et ... dies i .... petiis q
... ff .... ol. ....
a dicit de proba c. i. .... c. a. ... rubrica

Responsio quam repetit
..... de multi .... debet

ubi cum i .... no ...
c. i. ff .... de l. de ... ff de proba .... ubi
erant producta i instrumenta ... uel ab eade parte
erat producta ab eade parte ...
.... de ... et i. ... et ... b
obiciunt ... loquitur i testibus
et no ... producta testes
.... dicit ... magis
... de ... q ...
... no
... uolo q .... poderes
admittere ..... publice
et ... no admittere ... partes
i ... cum equitas mouere ...
qui .... negauit i ... de ....
c. a. libro ... admittitur ... apponi
... ut .. ... libro admittitur ...
.... no admittitur
responsio quam ... actor ... admittitur reus
no audiuerit ... et ....
... et ... quam ... q
... // ... et // ...
... maiores ... et ... ...
... quod no ...
... no posset apponi ... quod no ...
... de ... ut ... libro si no
.... responsio
pt ..... actor ...
... et no ... actor ....
reus ff .... repugnantia
... actor et ...
i pio no ....

si e[st] re[us] tunc [illegible] ... ut
[illegible] scriptura [illegible] scriptu[ra]
[illegible] requiritur in eadem scriptura
et [illegible] tunc [illegible]
de testi[bus] [illegible] ff de [illegible]
[illegible] l. [illegible] unum aliqua [illegible]
in corpore [illegible] ff [illegible] l. si [illegible]
[illegible] fides adhibetur ff de re
[illegible] l. [illegible]
[illegible] tunc si [illegible]
[illegible] tunc [illegible]
[illegible]
[illegible]
[illegible] aut [illegible]
[illegible] si aut [illegible]
[illegible] tunc [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
fides [illegible]
[illegible]
[illegible] ff de testi[bus] l. [illegible]
et [illegible]
Si aut [illegible]
[illegible]
[illegible]
[illegible] In glo[sa] [illegible]
[illegible] glo[sa] de effectu finali [illegible]
[illegible] glo[sa] [illegible]
[illegible] glo[sa] [illegible]
[illegible]
[illegible]
[illegible] glo[sa] [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] de testi[bus]
[illegible]
[illegible]
[illegible]

a [illegible] tunc si sunt difformia [illegible]
[illegible]
Si vero sunt conformia tunc [illegible]
[illegible]
de testi[bus] [illegible] et [illegible]
l. [illegible]
Si in [illegible] debiti exprimitur
[illegible] debitor [illegible]
[illegible] debitum si non exprimitur [illegible] ut
creditor [illegible] debitum [illegible]
[illegible]
[illegible]
[illegible] ut l. [illegible]
in debito [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
debitum [illegible]
[illegible]
[illegible]
[illegible]
[illegible] obligationis [illegible]
[illegible] obligatio [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] ut ff de [illegible] l. [illegible]
de in debito [illegible]
non [illegible]
[illegible] obligatio ut l. de
[illegible]
non obligatur [illegible]
[illegible]
[illegible]
non [illegible] ut l. [illegible]
si [illegible] obligatio tunc [illegible]
non [illegible] exprimatur ut l.
[illegible]
[illegible] non exprimitur [illegible]

et hec [illegible] aut conuenit propter realibus
ut quia conficeretur res fore tali aut non
requirit causam [illegible] dispositionem et actionis
ff. de except. rei uend. l. et de [illegible]
et actiones et nomine c. ii de libel. obl.
Item in confessione requiritur presentia aduersarii
quod dicit quod confessio conuentionis requirat
presentia aduersarii [illegible] in iudicio et
hec in [illegible] contrarium et hec et
in c. fi. de confes. et glo. not. ff. de proba. l.
cum de indebito [illegible] quod non requiratur
presentia aduersarii [illegible] quod hec non est uera
ut dicunt de conuentionibus ff. de proba. l. cum
de indebito [illegible] quod solum in dicta [illegible]
si in dispositione testis non est presentia aduer-
sarii de except. c. ii et ibi no. [illegible]
[illegible] absentibus legatariis
ff. [illegible] in [illegible] quod [illegible]
[illegible] in [illegible] conficeretur [illegible]
dare certum aut debitum [illegible] aut [illegible]
[illegible] fuit [illegible] confessio in ultima uolunta-
te [illegible] in dicta [illegible] licet hec
[illegible] dicatur [illegible] Item
[illegible] in [illegible] obligationis emissa
confessio conuentionis in dicta obligationis emissa
[illegible] possit agi [illegible]
[illegible] ff. de [illegible]
[illegible] confessio liberatoria
[illegible] ff. de [illegible]
[illegible] obligationes obligabit [illegible]
[illegible] supplentur ff. de [illegible]
[illegible] fuit [illegible]
[illegible] legitime
[illegible] conuentionis [illegible]
[illegible] confessio emissa [illegible]
[illegible] et ideo non obligatur ff.
[illegible] Item certi sunt modi ob
[illegible] publica [illegible] hec non
[illegible] ff. de [illegible] et obl. l. obligationum
ferme [illegible] et [illegible] et l.
publica ff. [illegible] hec [illegible] in confes-
sione conuentionum [illegible]
et in non [illegible] dispositionem [illegible]
dispositionem [illegible] ut [illegible] conficeretur [illegible]
[illegible] debere certum [illegible]

[illegible] dare [illegible] obligatio [illegible]
dispositionis [illegible] quod [illegible]
[illegible] confessio conuentionum [illegible] aut emittitur
ad liberandum et [illegible] liberatio
[illegible] ut l. [illegible] ff. de [illegible] et hec
fauore liberationis aut ad obligandum
[illegible] aut [illegible] dispositionem [illegible] et [illegible]
dicat obligationem aut non [illegible] et [illegible]
[illegible] et narrare [illegible] aut obligationem
ut l. [illegible] et l. publica [illegible] confessio
aut in [illegible] obligationem in dicat [illegible]
[illegible] dispositionem
ut l. de [illegible] in [illegible] alia [illegible]
emissa in ultima uoluntate [illegible] dispositionem
[illegible] fauore ultime uoluntatis C. de
[illegible] emissa ad libe-
randum fauore liberationis ut l. [illegible]
[illegible] emissa [illegible]
[illegible] Item confessio emissa conuentionum
[illegible] aut emittitur [illegible]
obligandum [illegible] dispositionem
[illegible] in duobus casibus C. de
[illegible] et l. in generalibus [illegible]
non [illegible] aut ad
C. de [illegible] non [illegible] aut ad
liberandum [illegible] non [illegible]
[illegible] casibus C. de non [illegible]
[illegible] in generalibus [illegible] Item [illegible]
[illegible] in l. generali C. de [illegible]
[illegible] not. in l. [illegible] ff. de [illegible]
[illegible] ff. de [illegible]
et l. ii [illegible] ff. de [illegible]
not. ff. de [illegible] et l. [illegible]
[illegible] ff. de [illegible] et [illegible]
[illegible] ff. de [illegible] ob. [illegible]
glo. in l. ii [illegible] not. in [illegible]
[illegible] ualeat [illegible]
[illegible] et [illegible]
[illegible] in [illegible]
obligationum [illegible] generaliter actionum
[illegible] ut l. [illegible] ff. de [illegible]
[illegible] Jo. de [illegible]
[illegible] quod [illegible]
[illegible] et non requiritur [illegible]
[illegible]

nisi ff. de sum. ff. de do. l. prox. Aut promitter
credens se debere speciali ca et cuius
except. doli ut l. ij. § certa ff. alia aut
dic. et tunc cum non presumatur quod iactare
pecunias suas ut l. cum de i. debiti obstat
excep. nisi pro ca. Quid si in. presumpcio confiteatur
se numerasse et recepisse dic quod tunc si negat
in iudicio i. tenebitur ... negantis ...
si confitetur ... tunc ... ut
not. glo. i. l. cum de i. debiti ut not. in ...
Quid si aut testes confitentur quos ... dere
aliq non ... ut cum petere ...
... meo quam ...
... dere si non ...
... aliq ... tamen ...
... debitum ...
... non ... de ...
... in ... Juste
ut ... de ...
... obligat ...
de ... modus ... dicende
obligacionis et quod ... materialia
Juste ... de ... quod si ... presumpcia
... cum ... quam ... et
... non ...
... de non ...
... et ...
...
... non ...
... excep. si ... quod dicta
... non tenet quod
...
... debitor ...
... non ...
... et ...
Quid si ... et ...
tenet ... alia ...
... quod ... de
... non ...
... tenet quod
... et ... qui possit
...
...
... et
... debitor negat ...

confessum de ... ...
... negat ...
... confitetur ...
... non ...
... de ...
... Et ...
Quid de ...
... non ...
... non ...
... Et ...
... confitetur ...

Aut ... ordinarii ...
tabellionis mortui notas
... non ... tabellio ...
...
...
...
...
...
... et ... ordinarios dare
...
...
... dare tutores ... quod
... possit et ... princeps
... non ...
...
... princeps non ... principis ...
... legibus ... de ... legi ...
... tabellionis
...
... mortuo tabellioni
et ... miraculosum ...
...
... possit
... de ... non ...
...
... non possit ...
... non ...
...
... ordinariam
... dare ... et hoc

minq nong inpem possit ostiie qo ui
it fecid m dt at mo

q mag perpetuu aut i persona apn
cape q ipe plus qut hac no po
terit et p hac part hac argum q
ps comu ptas pt facere ordinariu pt
et hoc q comu pte regitur eius offu pt
facere tabelliones ut ob. q i ferior a pnpe
no posset facere q iura q no e acep
ut e [illegible] et p [illegible] q [illegible] sint
e q uis tabelliones facere imo e [illegible]
ima q [illegible] q i istru pno credatur et
no illi q aprincipans fit i imo aprincipib
[illegible] e g tabelliones facere q
pt i ferior [illegible] uis gnale facere q pol
princeps pt / no pt cu tabellio [illegible]
ubi ferant [illegible] territoriu a istru [illegible]
de fo ape vo q [illegible]
tabelliones [illegible] tabell [illegible] notarij
q posset i [illegible] no cu [illegible]
muni te ut alibi [illegible] q alt [illegible]
poss creare tabelliones [illegible]
q de p. [illegible] tabelliones q
no ee [illegible] poss [illegible] tabelliones creare
[illegible] de tabell [illegible]
[illegible]
[illegible]

[illegible]

cel creare [illegible] de hoc dicit
ut [illegible] etc. [illegible]
de tabellio et [illegible] sufficiat pubertate
quedu tn dicit q requirit plena
pubertas s xviii annorum [illegible]
[illegible] non [illegible]
[illegible] instru [illegible] fidei [illegible]
[illegible]
i aut de tabel [illegible]
et m q [illegible] barbarus [illegible]
nisi [illegible] natura [illegible]
de re [illegible] ut no [illegible]
[illegible]
[illegible]
[illegible] remedia [illegible]
[illegible] debet [illegible]
[illegible] notarij et [illegible]
et [illegible]
[illegible]
et i instru [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] potuerit suppleri
[illegible]
de tabel [illegible]

De publicis testamentis dice
bat [illegible]

[illegible]

[Margin notes: "on [illegible]"; "qo"; "no"; "fo" (left).]

dicit tamen fiet publicum ff. [illegible] l. si duobus hec autem
publico sit [illegible] in paruis fiet apud magistrum
[illegible] et [illegible] si [illegible] firma [illegible]
[illegible] et [illegible] sit [illegible] et [illegible] fit
[illegible] apud [illegible] C. de testa. l. ij. et l. [illegible]
et l. [illegible] C. de [illegible] et [illegible]
alicubi quod fiet apud [illegible] et fiat publicum
[illegible] [illegible] confecta sit [illegible]
[illegible] fidem faciet C. de testa. l. publica sit
[illegible] sit testium publico [illegible] vel media
et in talibus non est maior [illegible] adhibe-
[illegible] quod si in [illegible] publicum [illegible]
debent [illegible] nouari [illegible] autem testium
[illegible] manu publica vel sigillatum sigillo
alieno [illegible] publicum ut [illegible] non
faciet fidem [illegible] quod non faciet [illegible]
[illegible] et est [illegible] in testibus [illegible] publicum
[illegible] ut [illegible] sit [illegible] publicum et est
[illegible] nisi [illegible]
si fidem faciet et [illegible] publicum est
[illegible] peti possit [illegible]
[illegible] C. de [illegible]
hec autem publica sit [illegible] vel [illegible]
[illegible] et non [illegible] quo
nisi possit [illegible] C. [illegible]
testa. [illegible] l. si [illegible] quod non sufficit [illegible]
[illegible] ff. de [illegible]
[illegible] fides [illegible]
sit [illegible] quod [illegible] ut [illegible] quod
[illegible] et [illegible] non sit [illegible] publicum
si [illegible] sit [illegible] sit publicum
[illegible] non erit publicum sit tamen [illegible]
quod si [illegible] sit in
[illegible] et [illegible] est sit
[illegible] et sit [illegible] publicum
[illegible] ut possit [illegible]
in [illegible] si [illegible] ut
[illegible] quod [illegible] tamen quod [illegible]
[illegible] et publicum [illegible]
in [illegible] publicum [illegible]
[illegible] quod [illegible]
[illegible] publicum [illegible] quod fides [illegible]

Et si fuerit confecta [illegible] manu publica [illegible] quod
faciet fidem [illegible] quod [illegible] facti fides ad
[illegible] illas [illegible] si [illegible]
sit firmatum quod [illegible] ff. de
[illegible] l. [illegible] agit ff.
de [illegible] l. si conuenerit non tamen [illegible]
[illegible] quod [illegible] sit publicum [illegible]
[illegible] in [illegible] tamen [illegible]
[illegible] fidem faciet [illegible] publicum [illegible]
[illegible] et in
quod [illegible]
non sit fieri non est [illegible]
[illegible] C. in [illegible] et [illegible]
[illegible] quod [illegible] ad
[illegible] non [illegible] nisi [illegible] de
[illegible] ff. de presumptionibus

[illegible] presumptiones [illegible]
[illegible] quod [illegible]
[illegible] ut [illegible] de [illegible] in
[illegible] et in [illegible] de presump.
de [illegible] in q. i. [illegible]
[illegible] q. i. [illegible] q. i.
[illegible]
[illegible]
[illegible] non [illegible]
[illegible] vel [illegible]
[illegible] quod non est [illegible]
[illegible] publicum vel [illegible] de [illegible] non [illegible]
[illegible] et [illegible] in [illegible]
[illegible] et [illegible] quod [illegible]
[illegible]
[illegible] quod [illegible] et est [illegible]
[illegible] q. [illegible] de [illegible]
[illegible] ut [illegible] quod [illegible]
[illegible]
[illegible] nisi [illegible]
[illegible] presumptio [illegible]
[illegible]
[illegible] in [illegible] q. [illegible]
[illegible] et [illegible] quod [illegible]
[illegible] et in [illegible]
in [illegible]
[illegible]

[illegible] presumptio [illegible] non [illegible]
[illegible]

corrigens cores [illegible] [illegible] [illegible]

Ro. quod ex verbis [illegible] ff de [illegible] l. labeo et l. de [illegible]
[illegible] quidem [illegible] [illegible] [illegible]
cum [illegible] ff de [illegible] l. [illegible]
[illegible] ut [illegible] [illegible]
[illegible] non [illegible] [illegible] de [illegible]
[illegible] non [illegible] [illegible] [illegible]
[illegible] quod non [illegible]
[illegible] ut non [illegible]
[illegible] et non [illegible] de [illegible]
[illegible] de delicto [illegible]
[illegible] quod delicti
[illegible] ut [illegible] non
[illegible] quod [illegible]
[illegible]
[illegible] cum non [illegible]
[illegible]
[illegible] quod [illegible]
[illegible] et [illegible]
[illegible]
[illegible] quod [illegible]
[illegible] et [illegible] quod [illegible]
[illegible]
[illegible]
[illegible] ut [illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible] ut [illegible]
et [illegible] non [illegible]
[illegible]
[illegible]

[illegible]

[illegible] et [illegible]

[illegible]

[illegible] cum [illegible] [illegible]

[illegible] et [illegible]
[illegible] non [illegible]
[illegible] et [illegible]
[illegible] non [illegible]
[illegible] de [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] de [illegible] ut [illegible]
[illegible] et non [illegible]
[illegible] de obligatione
[illegible] non [illegible]
[illegible] de obligatione
[illegible] et non [illegible]
[illegible] ut [illegible]
[illegible] et [illegible]
[illegible] et non [illegible]
[illegible] ut [illegible]
[illegible] non [illegible]
[illegible] et [illegible]
[illegible] non et [illegible]
[illegible]
[illegible] ut [illegible]
[illegible] non [illegible] et [illegible]
[illegible] ut [illegible] de [illegible]
[illegible] et [illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible] et [illegible]
[illegible] et non [illegible]
[illegible] et [illegible]

vel negare in eius detrimentum ff. de in terra ar. l. de
credito q̄ q̄ edicit alia causa non p̄ continua
tur alia actio q̄ gerentur restituit salvo
iure multi et tunc videtur gerentur
ff. mandati l. si remunerandi q̄ si procuratorio et
l. si procurator Alia respicit meum p̄ mutuum
tum et tunc reus in quo competit vero non dicitur
[illegible] cum venditor reo in obligatus et tunc
dicitur ut in l. si C. de remiss. pign. Aut tunc
dominium vel usus ex contractu et tunc d' exceptio actionis
q̄ non potest in predice gracialiter et non p̄ potest aliis
ff. de pign. ar. l. gagius sic in quietis
tunc non p̄ potest gerere ff. de co. mutui et
vel l. si pign. nisi sit ex eo quod q̄ habet
in re reverencia q̄ tunc sunt p̄ propter differentiam
ff. quod re actio non datur l. ii q̄ honor de
procurator q̄ dicitur parentis in predicto tunc
p̄ propter gerere ff. de pign. l. fideiussor q̄
p̄ propter gerere ff. de reuind. l. pepe. Contra autem re
partis ff. de reuind. cuius textus vero
quaeritur q̄ dolo careat cuius textus videtur
dicere q̄ potest l. si aliena res pign. pignori
data sit l. iii et l. si pro C. ad velleianum
l. Julianum q̄ l. pepe ff. de reuind. et l.
si qua q̄ prohibitione nulla lex si potest requirit
q̄ inter dolo careat ut [illegible] d.
q̄ vellegiana hic procedit quia agitur de
[illegible] realis sed autem agitur de pupillo
propter tunc casus non p̄ potest sententia ff. de [illegible]
l. filius q̄ in curiis sicut pupillo pupillaris
l. filius ff. de tutore l. si filius ff. de administ. tut.
[illegible] Alia agitur de pupillo tertii cuius
ii [illegible] respicitur in cura et placitum
[illegible] respicitur [illegible] non videtur gerere ff.
et tunc casus non videtur gerere ff.
de aut tu l. iii et ibi textus cum glo. F
[illegible] sunt pro et casus cum mercedes
possessionem vel accipe de bonis
meis dicitur aut [illegible] actionis vel
[illegible] tenebar de pati et tunc
contractus [illegible] tenebar de pati et tunc
videtur gerere C. de acq. pos. l. ii
et ibi notatur si non [illegible] et agitur de
[illegible] non videtur gerere
C. de [illegible] et notatur in l. ii C.
de acq. pos. [illegible] agitur de modico q̄
[illegible] tunc videtur gerere ff. de [illegible]
l. [illegible] et sunt [illegible] ff. [illegible]
l. [illegible] ff. de aqua pluvia ar. l. ii F
[illegible] de [illegible] videtur

gerere [illegible] tempus dicitur si [illegible]
in tempus non videtur gerere ad [illegible]
[illegible] C. plus [illegible] q̄ agitur l. si ff. de
pign. ar. l. gagius F Quid de [illegible]
dicitur q̄ videtur gerere ut l. ii C. de re
[illegible] non alias ff. de pign. l. fideiussor [illegible]
[illegible] ad q̄ [illegible] cum
[illegible] F Quid de absente et
ignorante an videtur gerere dicitur q̄ non
ut l. si ii in si ff. [illegible] et l. q̄ debitore
C. de pign. et q̄ c. q̄ [illegible] de [illegible]
[illegible] F Quid de absente et sciente q̄
dicitur q̄ absens sciens in [illegible] cogitur gerere
p̄ potest gerere ff. [illegible] l. ii q̄ [illegible]
et notatur [illegible] cum [illegible] de quo [illegible]
[illegible] c. c. a. ad non p̄ potest gerere ff. de
noxal. l. in delictis F Quid de presente q̄
et sciente et ibi vendente pign. in pignore
q̄ in pignore [illegible] non [illegible]
[illegible] dicit maior respondit glo. dicens
q̄ non [illegible] pignus [illegible]
l. tutor q̄ [illegible] ff. de pign. ar. et l. [illegible]
q̄ non videtur ff. [illegible] pign. vel ypothe.
[illegible] ob [illegible] C. ad velleianum
ob leges hic allegatas q̄ loquuntur [illegible]
et hoc procedit [illegible] fraudulenter
ut deciperet [illegible] q̄ tunc [illegible]
[illegible] de re [illegible] et [illegible]

Explicit [illegible] [illegible]
[illegible] ab [illegible]

[illegible] ad [illegible] c. [illegible] ut mandata
[illegible] q̄ alter [illegible] alterius [illegible]
[illegible] l. [illegible] q̄ [illegible] sit
[illegible] cum [illegible]
l. [illegible] ii [illegible] q̄ [illegible] de [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] et [illegible] q̄ [illegible]
sunt [illegible] p̄ potest [illegible]
[illegible] [illegible] ubi [illegible] glo. [illegible]
ubi notatur et [illegible] et [illegible]
glo. [illegible] plenius [illegible]
q̄ ii In [illegible] ut glo. [illegible]
[illegible] q̄ [illegible] unus de [illegible]
non [illegible] et ista [illegible] illa
[illegible] [illegible] aliquid [illegible] de [illegible] [illegible]

[illegible] [illegible] de [illegible] quo [illegible] [illegible]
in [illegible] [illegible] quo
non [illegible] ab [illegible] [illegible] ut [illegible]

[illegible] q̄ t̄ dicat purgatio n̄ . d̄ purgā ea. [illegible] alii [illegible] dicat [illegible] ut [illegible] illud aliud [illegible] [illegible] aliud [illegible] ff [illegible] scriba [illegible] de novo dandas et nō [illegible] [illegible] neglig. succurit a iure canonico [illegible] negligentis succurit a iure civili [illegible] [illegible]

[illegible] quis [illegible]

[illegible] allegat [illegible] [illegible] [illegible]

ff [illegible] et [illegible] glo [illegible] ut [illegible] debitū vel [illegible] debitū [illegible] ff de [illegible] debitū [illegible] ut [illegible] et [illegible] admittit [illegible] et [illegible] admitti [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] non apparebat [illegible] [illegible] [illegible]

[illegible]

[illegible]

no[n] ... q[ui] ... [illegible]

et si appel[latur] ... [illegible]

[illegible]

... virtutes morales et de ... [illegible]

... virtuosus ... [illegible]

... ut dicit philosophus ... [illegible]

[illegible]

s i rebz pualis seu ardue inam est nec
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tu invat no repete absoluet ut du
rebz ecce. Bi vo sit violens abuu
res ecce sup abspoliz abuirate
vel dabit curatore bons vel a spude
bit ut res recupet et invitus no vet
at q ina sui sc debitores et c abindz
f in et ide tutore hos s geril inatel
no liget s at pi q q inam eipi mig
datur restitu s abso vel deppo s q
alienu pt ff de uit uit b ut plca sc c
P vel eius to i frig inam
q i melis d gmiit so dr fru
cferi fide fides frauget eum gmut
tatur quedam dut cis qui piate miundi
fz de Co. c. r et hoc pte ubi pm erat scitu
scus ubi fuisz ilicetu xxii q ii mli et
c. septi f st anthi q ubi pm ina c
notitiu et illud i quod gmittur c utile
pt qs ppa aut giure xxii q iiij mli
it intelligu aut cap ig qua xxii q
ii hoc nut anthi xxx q iiij c. p f eo
q s p metu gmittur qs redde vng
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s. dices q p ibi expoit. illaz expolio
r quato foreat loz q si aliqs. licita q
necess appeta no fueriz nt ibi fides c
frauda C de qbi i ser l. r xxxvi q fi
c. si in s aufero nt fidu ppe q teme
ver ne ad expeditioes de cetero no asci
gor ut saba ibi si gdicos pt pubtaten
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treugis no licz tu dos no dapnu ego
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hos pont exm i eo qui uiat pure a
licui p certo salario q in mese ille
sibi dat salm in a puit, nu q possit
de sipe a fures et i qz ibi religiosz et
vir q pt dupplici roe sc c ego tali
Pos fides uiat ...

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abbate a thime tur xxx q bij abipso
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gpilio de re et no alie ut sup Jre nt
i scultu de nouo de fen c r. elevam ... q. g
pt carpo uriti 10e dicitur eth ...
hec inam abcas gote dicu q sut pos
conponis ppe C ad l. iulia, mille po
et l. qsqs et r. de hus q fi a p no. et ... iugla
c. quicto fz licet sequeis fiat q. nisi argue
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pprios un q. i fare fz no tur uniure domi
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alios hos. r. q bij quociens ad illos sc c. debi
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c. r. re i partus q. lege ferret i per ... que
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hoc erat q lege. Et vo q p q ...
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i appe mereeus q durat durate
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pot l. un C. de fur et lice expre l.
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Qu que ipe no potest absolui ... ppe ...
... ul ppe ... tradictionis
...

[illegible] in margine [illegible] et [illegible] episcopi [illegible] et tali [illegible] [illegible] [illegible] pretii [illegible]
Et [illegible] in [illegible] [illegible]
[illegible] [illegible]

pro [illegible] ut [illegible] in titulo [illegible] quod [illegible] [illegible] quod [illegible] et in [illegible] [illegible] non [illegible] [illegible] Ingelton [illegible] non [illegible] agebat [illegible] [illegible] quod [illegible] non [illegible] [illegible] quod [illegible] [illegible] quod [illegible] [illegible] quod [illegible] cogendi [illegible] petebat [illegible] non [illegible] [illegible] non petebat [illegible] dicit quod creditor [illegible] de [illegible] quod non [illegible] quod ille erat [illegible] [illegible] et [illegible] non admittitur [illegible] [illegible] quod [illegible] et si [illegible] [illegible] replicatio creditoris et si [illegible] [illegible] remanet [illegible] non [illegible] [illegible] quod non remanet [illegible] [illegible] repetitio et [illegible] quod [illegible] usura [illegible] et [illegible] si [illegible] de dolo [illegible] replicatio de dolo [illegible] [illegible] si [illegible] debitum [illegible] quod [illegible] [illegible] non [illegible] [illegible] non [illegible] [illegible] [illegible] usura [illegible] [illegible] non [illegible] [illegible] Et [illegible] [illegible] usura [illegible] [illegible] Et [illegible] [illegible] non [illegible] [illegible] non repetatur [illegible] [illegible] [illegible] de [illegible] quod [illegible] [illegible] ut [illegible] de [illegible] [illegible] dicit quod [illegible] creditore [illegible] usuram et [illegible] [illegible] non [illegible] [illegible] [illegible] non [illegible] [illegible] non [illegible] creditor [illegible] usuram et [illegible] [illegible] non [illegible] [illegible] [illegible] Et [illegible] [illegible] et si creditor [illegible] non [illegible] [illegible]

usuram [illegible] quod [illegible] [illegible] quod in usura [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] Et [illegible] [illegible] et [illegible] quod usura [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] debitor quando non [illegible] creditore [illegible] pignore [illegible] de

[illegible] usuram [illegible] [illegible] et [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] creditore [illegible] [illegible] [illegible] [illegible] [illegible] usura [illegible] [illegible] quod [illegible] [illegible] quod [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] debitoribus et [illegible] [illegible] [illegible] non [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] quod [illegible] debitum erat [illegible] [illegible] non debuit [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] creditor [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] usura [illegible] quod [illegible] [illegible] [illegible] quod non [illegible] [illegible] [illegible] [illegible] [illegible] non debuit [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] quod [illegible] [illegible] [illegible] non [illegible] [illegible]

absolutus de re ab eo petita et hoc est quod dicitur
quando fuit appellatum constabat quod sententia
condempnationis esset iniusta et ideo admittebatur
vel constabat illam esse iustam et restitutio
pignorum iniusta [illegible] ad hoc fuit
quando et admittitur si non fuit appellatum
[illegible] sententia [illegible]
[illegible]

[illegible]

dicitur aliq[ui]s q[ui] p[ro]mi[ss]us e[st] p[ro]m[ist]i no[n] [illegible]
in aliq[uo] d[ic]e[re] q[uo]d no[n] p[otes]t q[uod] alt[er] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] q[ua]rto loco [illegible] [illegible]
[illegible] mo[na]chi q[ui] p[ro]fess[us] [illegible]
[illegible] [illegible] et

et [illegible] q[ui] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ibi [illegible] [illegible] [illegible] [illegible]
vel a[liu]d possit se obligare no[n] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] esse [illegible]
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[illegible] [illegible] mo[na]chor[um] [illegible] [illegible]
de obliga[tione] [illegible] [illegible] [illegible] [illegible]
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[illegible] [illegible] [illegible] et [illegible] [illegible] mo[na]chi
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[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] de [illegible] [illegible] [illegible] creditor
[illegible] [illegible] [illegible] [illegible] [illegible] de
[illegible] [illegible] [illegible] de [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] q[ui] liber [illegible] [illegible] [illegible]
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[illegible] et ibi no[n] et [illegible] [illegible] [illegible] [illegible]
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[illegible] et [illegible] [illegible] [illegible] [illegible]

[illegible] de [illegible] [illegible] [illegible] [illegible]
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[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] alt[er] volu[n]t [illegible] [illegible] alia [illegible]
[illegible] volu[n]t q[ui] no[n] liber [illegible] ibi ut
si [illegible] [illegible] [illegible] [illegible] [illegible]
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dicitur q[uod] si [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] q[ui] [illegible] [illegible] alia[m]
q[ui] [illegible] [illegible] [illegible] [illegible]
ut [illegible] [illegible] [illegible] vel
violencia et [illegible] [illegible] [illegible] no[n] [illegible] [illegible]
[illegible] et absentia [illegible]
[illegible] q[ui] [illegible] [illegible] no[n] ob
[illegible] [illegible] [illegible] [illegible] [illegible] ibi [illegible]
[illegible] [illegible] monete de [illegible] [illegible] [illegible]
[illegible] erat [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] vel [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] vel [illegible]
[illegible] q[ui] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] ut [illegible]
[illegible] [illegible] [illegible] no[n] de [illegible] [illegible]
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[illegible] [illegible] [illegible] [illegible] de [illegible]
ut [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] q[ui] [illegible] de [illegible] et [illegible]
[illegible] et [illegible] [illegible] [illegible] [illegible]
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q͞ʒ et non primū removebit eū ab eccl͞a
ab eccl͞a cōis deo [illegible] ubi tunc [illegible]
factū [illegible] —————— [illegible] q͞
i [illegible] non [illegible] [illegible] [illegible] [illegible]
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et eū [illegible] [illegible] temerariū [illegible] non [illegible]
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et ibi no͞ [illegible] Et non q͞ [illegible] [illegible]
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et [illegible] [illegible] ē mor[illegible] xxij q. iij [illegible]
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et [illegible] [illegible] q͞ [illegible] et [illegible]
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et [illegible] [illegible] [illegible] [illegible] [illegible]

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[illegible] et q͞ [illegible] [illegible] [illegible] [illegible]
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q͞ [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] xxij q. ij q͞ [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] q͞ [illegible] [illegible] [illegible] [illegible]
ut q͞ [illegible] vel q͞ religiosus [illegible] [illegible]
[illegible] [illegible] illius cui [illegible] vel [illegible] [illegible]
et non [illegible] xxij q. [illegible] xxij q. iij [illegible]
[illegible] ut q͞ [illegible] [illegible] [illegible] ut q͞
[illegible] [illegible] ē [illegible] [illegible] ut q͞ [illegible] [illegible]
[illegible] [illegible] ut [illegible] [illegible] [illegible] non ē
[illegible] xxij q. ij [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible] [illegible]
quo [illegible] [illegible] [illegible] ut [illegible] [illegible]
[illegible] non [illegible] [illegible] ē [illegible] [illegible]
[illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] q͞ vel non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] de [illegible] [illegible] [illegible] [illegible]
q͞ [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] de [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
q͞ [illegible] [illegible] [illegible] [illegible] non [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
ē [illegible] q͞ non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] q. [illegible] [illegible]
[illegible] [illegible] [illegible] q͞ [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
q͞ [illegible] [illegible] temerariū [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] q͞ non [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
quo [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
ut [illegible] [illegible] [illegible] [illegible] non [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] placitur [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible] [illegible]
vel [illegible] [illegible] q͞ non [illegible] [illegible]

alit non sit unde cum de uitio abstrahi a eo
cogitatum nota arche xxii q. ii adulterandum
quoniam sive uerius est pro et hec et quomodo de
culpa c. iii et casus si quis uiderit non mitte
religione cum furandum quod non prohibetur furari
xxxii q. iii quod aut super glo. ibi et quod hec uero non
est sufficiens et dicit ibi arch. quod duplex preceptum sufficie
super facere malum et declinare a bono et facit
iam non obligat abstinendum malum sicut et
ad declinandum a bono cum non ualitas, sicut ob
natura talis uiam et exponitur ubi lex non prohi
bet et non precipit hoc de eo bene licet tamen
quod talis uiam teneat et a sui debo quod quia
sicut de Gop in decr. ad reuelandum // credo posse
uideri cum uiam uel si uiuet apostoli aplo quere
uidet uel quod sic credere furandum et si uiam
circumstantiis debitas ut si apostoli contemptum re
ligionis uel quod sic est Ingolo. i. ubi ho. f. inte
lego circumstantie non aggrauat delictum si
sola contemptum sed circumstantie declarat contemp
tum et circumstantie que sunt circumstantie aggrauantes
in moralibus ponuntur ubi quis quid cur quomodo quando
cuius apostoli quod quo in primo uel quomodo quo loco quoque
et sic quosdam sunt que extrinseca accidentia
cum actu alii dicunt quod sunt substantia primum
uerus ipso poderatur quod sic qualitas agen
tis sit esse uel rusticus casus quod unus et
idem actus sit esse uirtuosus et uitiosus ut
in dato quod potest esse liberalitas et prodi
galitas quod cuius hec est apostoli si nam si datur
ad propria non est liberalitas et si detur apostoli re
turpe casus quod unus erit magis uitiosus
facto que ut patet ferido et si quas uti
in purgat maiorem iniuriam a deus quod sit
maius crimine a genere criminum tunc dico
quod odium dei uero quod odies deum a malis et uia
quod odium dei non quod odies deum a malis ibi
directe recedit a deo sed per alia peccata non recedit
a deo directe quod luxuriosus recedit a deo apostolica
delectatione appetitus a delectatio non est conformis
deo in modo plures difformis si non directe recte
dicit de aliis criminibus quod tibi uxorem a tractatum
de heretice et si equipas peccatum in suo genere
tunc uera est glosa quod uero eius actus considerabitur
contemptus dei quod quanto magis contemptum magis peccabitur
Et si dicas quando cognosceretur contemptus dico

quod lex ut hoc non iudicat de actu sed per
actus extrinsecos quod cordium solus deus cognitor
xxxiii di. erubescant licet q. i. si omnia si si rusticus
et eius eadem genere delicti peccatum posset
esse magis contemptus xl. di. ho. xpianus et
hic contra quod est maius quod sunt quaedam aliquos
ut arma deferre non est peccatum a mer
catore sed solum a milite a ulla sola mi
lites puniuntur ff. de penis l. quedam contra uidetur
sunt delicta eadem et hoc quod sunt maiora
in maioribus et minora in minoribus et in
eadem magis puniuntur maiores ut hic et de
eius et ea s. pulsum et l. in ut de su
tri et si cathe. Respondeo maiora in
minoribus ut plures dicunt differentie de fide quo
eadem magis puniuntur minores ut de su
tri l. in contra uidetur sunt peccata eadem et
tunc procedit glo. quod propter sui puritatem magis
puniuntur maiores corpore minores
In glo. apostoli a si alii dicunt quod est opus
abscondere et hec uero accidit in quod est tunc
posset tamen esse casus quo ipsa autem debent
quiescere ut si esset casus mortis periculum de
prope sex solum de puritatibus sui est puritas casus

Ecce uiam mechi
clausus abundantes et
de hoc l. quoniam a prelatus primi casus dico
in ubi unus clausulis dicitur de quo si de
in uiro cum admonitus et et licet esse
pater meus cum admonitum et a puero et fuit
tamquam et probatissimus cum quod in puero et fur
ad quem sepe dubitaretur an monachus non
professus possit esse per clausulas et
professus possit esse per clausulas et
uidetur quod non quod proprium est officium et
quedam plurima ut in te l. ii de rege cum ubi
excipiantur ad quod ab hoc fit delegatus et
exceptio est de re ut in prohibitio regularis
fuit cum de eo licet preceptus carum
quod ualeo xxxii q. ii diabolicum et op
quod uero quod licet non prohiberetur abbas qui
possit primum repetere et prouidere monasterio
a Benedicti de uentre admonitum et c. quod
dubius quod remittit ubi sua non est aplicius
regressus ad eadem quod in quod quantum

et hec quedam tenet ff. pro q. quia procedit a prelatis clericis bursarius remittatur ex monachus carens velle et nolle remittere non potest claustro suo quo vivus non potest per suppos. suo aliquid ... et preterea dabat ... q. ab non dare bona monachis ad monasterium transire volenti ad aliud monasterium ... forte ipsum recipere quod tamen male ... de regula et de renunc. ... extra de ... liceat de regulari ... transeuntibus ad strictiorem ... extra de ... ab et abbates et ... monasterii

Renunciare eciam vasallus que [illegible]

... successoribus ... non cogitur

primo ... non modificatur ... quia ... nobis ... fallaciis ... voluntate nobis ... ambiguitatem ... obsequium homagium ... non ... regnum cypri ... ad fidelitatem ... ad homagium vel hominium ... ad ... et ... qua ... differat ... de feu. ... ierosolimitani et ... successori et ... de ... eciam preterea ... quod regnum cypri ... de ... et ... ad hominium et fidelitatem ... ut ... de re ... extra de ... quare ... de ... sunt ibi ... vel de q. ... de vasallis ... vel ibi non ... sub nomine ecclesie extra de ... de ... de re ... non tenetur ... ... si ... sub ... de ... clericus ... qualia ... feudo ... teneri ad homagium ... nimis et ibi ... In glo. ... ibi ... ibi ... que ... ... non ... succedere ... et de ... ... et ibi ... non ...

renunciandum ... successoribus ... renunciavit ... ... et ... non ... successoribus ... refert ... de professione non de fidelitate ... qui non ... de heredibus

fecit fuit ... non ... fuit ... de heredibus ... non ... heredum ad quos ... quia non ... dicit ... quod non ... et heredibus ... et ... non ... renunciatio fidelitatis et ... non ... et ... libertate et ... quos ... non ... de ... libere ... de ... libere ... et ... de ... non ... de successoribus et non ... de successoribus et ... successori ... clericus non ... successori ... obedientiam ... non ... de ... in religione ... non ... qui de iure feudali ... non ... de feu. ... potuerit ... successoribus ... de ... realis ... realis ... realis ... et non ... et ... successoribus ... successores ... realis ... de ... non ... non ... ad ... non ...

q̄ ꝑ nō ī duē parc̄. C. ꝑ addiss ben
q̄ ē ꝯtingit. Sic aūt uictūm nō valebat
ꝯtractū cū miꝯ ē trāsferēdi ꝯpetēte
ꝑstancie ꝯ hūc ap̄ q̄ uictūm ꝑ fuit
ꝯtractū ad ī valebat de pac. c. ij. lib
et de iniuriis c. ij. ō li et. l. ē cū ꝯtingat
et sic ꝯtractus valet trāsit ad successo
res
...
ꝯ uia ꝑ suū et ... nō ... ꝑ ...
ꝑ illa ...

.Brūderit. ꝑ hec verba · dat̄ limitat lex
nō expꝑ

uos ē iustꝰ ꝯ ꝑ me ... īte q̄ ūnō
...
trāsgressor uictūm ... nō ...
...
...
...
...

ma s. apo' cpasso et est ma° f op difficil
tas pmissione no reddat obligatoriu ibi
ll ff de ver ob. l. gcius §o. id precedit
s leges ser's s canones ut not. Jo xxiii q
ii his no pit dici q hic difficultas sit
q i poten et illa utriusqz iure redditur
inutile ut ff neo ad i pos et ff i possibilit
lib. f illa q fit ff de ma° sinando q
sit sinari sic intentu fuisse eterne errore
si redder f op q al q ma'm s dari s
nari q dt lex parta nouissia sit sina
da. est ibi lo' declarare hic s erat illatam
de par c. i et ol s possit hic fuit mutat
q habebat gsue° q p satisfac. pprabit
ipud ma'm. dt tn om q si ardua essi i
mea reliquisset hat arbitrio itidere
de of sel de aud hic excepcit eodem
giudice debuerit ne excipe suadeat
q sit q auctore suspiciona intelli eo
ress. s. c. q admo'm i mo fortius singit ge
nerale. s. de elt exo populares f eine
q si habebat cds mag. tubat sinare
ma'm. dicat alq q sit q tue poterat
spaene gsuae ff de pcu l. i. q ope
et hic ea honore gec epo b q. in q
epo com' tm' qim q l posse p aliena
tn ua gmode et fidelis et melius tracta
bit ipse etc. apa q ebriis et est apt hons
expetant i aut ut abillas bz i pm vol
bi. tn apt i structos inegois ff de pcuns.
f. si actor tn apt etc arbitrare de
prius grelt s gof f aliud s adnots
e astrictis ma° duabz cau una lia
gat q aliam dez ne aduere q altera
vel apn' si q altera q q gof der
amitt q fine huius c. q ppma cui
pio pstat ma'm q pstatis s erre no
obligat cu q pima f aliud s pio pla
p misit in tem q tu sinare debz
ma'm s pbat a fine hic hos q q i
ter suplic legit et ma'm no fac
de q dictum xxii q. i. c. marmi pbat
q si pimu fuit liatu g° s illicitu vel
eq. quo casu licebit aut. ap'a gnitae

ma si pmisit aliq ltam q dedecu hat
sinare tm dt si ma ff xxii q. iii ma'm ma
delta g° de i no sinando e illatu a q
deu et q ma ite no dez apsm q ma do
hat p supponet i hic no e gcedendu fieri
aesse q q alios ma'i pudicet i ma nt
ma delta ppe ad tra se extendit de of del
s p eo n° iii q dt si cu debes e alii sat
fac de pisse aut si capra ppi ipsa posse
solue i cum creditor e ne posse solue
bo ff si cer ptt l. ii et l. cu q f hic
ap ee q alie satisfieri no potent in p
adi plendo pmissu ut si pmisit ghe
cu certa muliere et mandat' ne ghat
certe no ghat ma delta q et si ma ff expresse
alia duce pima fide no idra tm ad
u. plene f pdeid q s ap spagit apta
e ne ter° et tm aps ma'm no derogat
pio pmisse dico ma ne e gptu tm
ap s ma'm raq a fortius vinclm supplici
ene derogat pio no ob q i suplice
grela q q veritas e q ma'm ang
obligat et gillus pmit tn ss gssor ma'm
q undi apissi e e debitares nt ob a°
q pole e q duo gia sit mala et est
bo no g° s ma delta fiet de pio apisse
lato no sinando hoc est pcom geteret
nt ere ma'm deno sinando q forz te
meram fz emanabit pp lato det i
gpale cu pio aptu est dez si e i gpale
ma tm ap p volunt retede apio de cle
ut qs lib alia motiua hos loqm' i
cau i quo ne alteri gptu e f aliud magis
alios singet ma delta si no pcessit a ma'm
vel pmissu het delabu' cu glo adq
de pede f hic glo. i. abi arbitrator hos ad
repbendo illos q ducebat hos sinasse et
buros q i cel ap'a no sit ee arbiter dem
hos e dep si male arg' q no ma iste
stare arbitro adiqarn si gsplet a'm s sphm

[illegible] ut [illegible] gla sentit quod apiore
quod non [illegible] mandato [illegible]
[illegible] quod [illegible] non
[illegible] de quo non est [illegible] agi et quod
hoc [illegible] de [illegible]
textus [illegible] et [illegible]
[illegible] mandatum
[illegible] reduci posset [illegible]
hoc [illegible] de alio mandatus
[illegible] plenius dicitur [illegible]
[illegible] et hoc est [illegible]

Si mandatus [illegible] defen
der. respectus [illegible]

hoc [illegible] cui [illegible]
[illegible] mandatis [illegible] forte [illegible]
[illegible] vel [illegible] vel [illegible]
[illegible] quod non quod non [illegible]
[illegible] ut debitus [illegible]
[illegible] ut sit [illegible]
[illegible]
[illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible] appellaret [illegible]
[illegible] non
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] defende [illegible] non [illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible]
[illegible]
[illegible]
[illegible] non [illegible]
[illegible]
[illegible]
[illegible]
[illegible] ut [illegible]
[illegible] et
[illegible]

[illegible] quod non est [illegible]
[illegible] non [illegible]
[illegible]
[illegible]
[illegible]

Princeps [illegible]
[illegible]

[illegible] non [illegible] hoc
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] princeps non [illegible]
[illegible]
et [illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible] et non [illegible]
[illegible] non [illegible]
[illegible]
[illegible] non est [illegible]
[illegible] ut [illegible]
[illegible]
[illegible] quod non [illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] princeps [illegible]
[illegible]
et [illegible]
[illegible] non [illegible]
[illegible]
[illegible] non [illegible]
[illegible]
[illegible]

q̄ [illegible] [illegible] remunerare uni pro [illegible] q. r. q̄ [illegible]
[illegible] q̄ negotia regis reputatur negotium [illegible] uni
uer[illegible] et sufficit [illegible] maioris ff. de
[illegible] et de modo l. [illegible] ff. ad municipalem
l. cum [illegible] non tamen sufficit [illegible] [illegible] ut
expediatur [illegible] regimi ff. de [illegible] [illegible]
[illegible] l. [illegible] [illegible] in qua moneta debeat
fieri solutio [illegible] in currente moneta cuius
[illegible] [illegible] solidus [illegible] libra [illegible] si cur
rat [illegible] moneta [illegible] libra [illegible]
[illegible] et libra [illegible] [illegible] media
nostra in qua fiet solutio [illegible] q̄ [illegible] [illegible]
[illegible] ut [illegible] in [illegible] [illegible] et [illegible] ff. in [illegible]
ff. [illegible] [illegible] si mutuo [illegible]
in una moneta [illegible] me fieri [illegible] in alia
[illegible] [illegible] [illegible] in commodum creditoris non potest
ff. de solu[tionibus] [illegible] l. paulus et [illegible] aliqui
in commodum solui voluerit [illegible] [illegible] immo
[illegible] [illegible] in commodum [illegible] [illegible] minutis [illegible]
[illegible] q̄ [illegible] [illegible] ut l. [illegible] ff. de [illegible]
[illegible] [illegible] q̄ in [illegible] creditoris non potest
fieri solutio in [illegible] [illegible] [illegible] q̄ si sunt
eiusdem materie fieri potest in [illegible] [illegible]
[illegible] [illegible] si [illegible] a [illegible] metallica [illegible]
[illegible] [illegible] [illegible] si non [illegible] [illegible] [illegible] [illegible] [illegible].
[illegible] q̄ [illegible] [illegible] commodum [illegible] una [illegible]
[illegible] [illegible] et [illegible] una [illegible] de [illegible]
l. si quis argentum [illegible] l. ii et l. [illegible] [illegible]
ff. de [illegible] et [illegible] [illegible] [illegible] [illegible]
moneta [illegible] materie et [illegible]
q̄ non esset [illegible] [illegible] [illegible] [illegible] creditor
refutare q̄ aliud [illegible] [illegible] soluitur igitur
si mutuo [illegible] [illegible] minuta et tu [illegible]
solue [illegible] non [illegible] recipe [illegible] [illegible]
[illegible] [illegible] ut [illegible] [illegible] [illegible] l. [illegible] [illegible]
[illegible] [illegible] si pecunia [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] creditoris [illegible] q̄ [illegible] ff. [illegible]
[illegible] l. [illegible] [illegible] si mutuam
[illegible] [illegible] [illegible] [illegible] solue in [illegible]
illo [illegible] [illegible] moneta sufficat ne
[illegible] in alia satisfacere [illegible] creditori [illegible]
[illegible] [illegible] velle q̄ non [illegible] [illegible] q̄ sufficit
[illegible] mutuum in [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] obligatus
[illegible] in [illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] si in [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] q̄ [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et quod de re [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] q̄ [illegible]
q̄ si moneta [illegible] [illegible] quo [illegible] [illegible]
[illegible] [illegible] et [illegible] non liberor soluendo
antiquam [illegible] in [illegible] non [illegible] solui
[illegible] in [illegible] in [illegible] [illegible] [illegible]
ut l. [illegible] et l. [illegible] ff. de [illegible] [illegible]
[illegible] q̄ soluendo [illegible] liberetur [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible] l. [illegible] q̄ ff. [illegible]
[illegible] [illegible] [illegible] [illegible] obligati [illegible]
qui liberatur [illegible] [illegible] [illegible] culpa sua
ff. de [illegible] [illegible] l. si [illegible] [illegible] [illegible] si
[illegible] [illegible] minuta quo [illegible] [illegible] culpa
mea liberor [illegible] [illegible] q̄ [illegible] obligatus
in obligatus [illegible] q̄ non perit [illegible] [illegible]
[illegible] l. [illegible] soluit q̄ genus generalis
[illegible] non perit [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] q̄ [illegible] in iure [illegible] obligatus
[illegible] [illegible] non liberatur si pereat [illegible] [illegible]
obligatus [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] pereat [illegible] liberatur ff. [illegible]
l. [illegible] l. [illegible] [illegible] [illegible] [illegible] q̄ [illegible]
[illegible] q̄ moneta [illegible] [illegible] q̄ in [illegible]
[illegible] [illegible] [illegible] in [illegible] metallica [illegible]
in [illegible] [illegible] [illegible] [illegible] et [illegible]
si minuitur [illegible] [illegible] [illegible] [illegible] [illegible]
debitoris si deterioratur [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] soluitur [illegible] antiquae
ff. de [illegible] [illegible] l. [illegible] [illegible] [illegible]
l. [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible]
[illegible] qui [illegible] [illegible] [illegible] non [illegible]
[illegible] [illegible] debitor fuit morosus et [illegible]
[illegible] [illegible] et [illegible] [illegible] mora ut l. mora
ff. de [illegible] et [illegible] [illegible] [illegible] [illegible]
morosus in non soluendo [illegible] [illegible] q̄
[illegible] in [illegible] non in lucro ff. de [illegible] [illegible]
l. si [illegible] q̄ cum [illegible] [illegible] [illegible] [illegible]
[illegible] difficultas in [illegible] in [illegible] [illegible]
in [illegible] [illegible] [illegible] q̄ non [illegible] ff.
de [illegible] l. [illegible] [illegible] [illegible] q̄ [illegible]
[illegible] grossa [illegible] [illegible] [illegible] minuta.
minuta [illegible] [illegible] [illegible] grossam in [illegible] [illegible]

nisi una summa denariorum [illegible] bene posset computari ad florenos sed singuli denarii per se non posset computari ad florenos sed cum bene nisi modo [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] computatum si dedi in certum libras monete [illegible] si illa fuit deteriorata [illegible] [illegible] non dico quod non [illegible] aliquid ad quod computetur [illegible] creditor dicetur amisisse lucrum non [illegible] [illegible] [illegible] [illegible] non [illegible] debitori ut [illegible] si [illegible] [illegible] [illegible] [illegible] [illegible] quod in minimis [illegible] [illegible] [illegible] [illegible] minimus [illegible] [illegible] [illegible] [illegible] Si autem [illegible] quod [illegible] in [illegible] kalendis Januarii et florenos ad c. florenos in kalendis [illegible] [illegible] [illegible] plus valebat [illegible] [illegible] solutum [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] computatur [illegible] [illegible] [illegible] [illegible] computabitur ad minutam [illegible] [illegible] [illegible] [illegible] ad [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] c. libras in florenos [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] c. libras in florenos [illegible] [illegible] [illegible] c. libris [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] libre [illegible] non [illegible] [illegible] [illegible] [illegible] c. libras in [illegible] [illegible] [illegible] deponere c. libras [illegible]

et [illegible] reddere [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] computacionis quod non debetur [illegible] [illegible] debitori non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] debitori non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] quod mutuo c. libras in florenos [illegible] restituendum teneris [illegible] ad c. libras [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] computabitur inter se creditoris cum [illegible] [illegible] in [illegible] et [illegible] quod moneta [illegible] computatur ad minutam [illegible] non computatur [illegible] denarius ad florenos [illegible] [illegible] florenos [illegible] in [illegible] denarium [illegible] [illegible] [illegible] ad minimum [illegible] non [illegible] [illegible] [illegible] denarius [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] c. libras et [illegible] [illegible] computatur [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] argentum deponere et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] valebat [illegible] moneta [illegible]

[illegible]

[illegible]

de testi. cum olim factum [illegible] quod [illegible]
quod [illegible] possit inquirere de opera
de opera [illegible] de aliis criminibus et non [illegible]
[illegible] alicuius [illegible] et ad [illegible]
in ponendo de [illegible] c. i. [illegible]
[illegible] sit [illegible] quod fructus
[illegible] agere non [illegible] restituat
[illegible] c. i. de [illegible]
[illegible] agere [illegible]
[illegible] de [illegible]
[illegible] inter iudices de
[illegible] duo et [illegible]
de quibus [illegible] quod [illegible] et de
[illegible] principes [illegible] inquirere [illegible]
[illegible] et [illegible]
[illegible] possit inquiri
[illegible] de [illegible]
[illegible] duo [illegible] et testificari
[illegible] quod non [illegible] deponere
quod et [illegible]
[illegible] ipso [illegible] non debuisset
[illegible] quod testificabant [illegible]
[illegible] fuisset [illegible] quod an sit [illegible]
[illegible] fuisset [illegible]
[illegible] quod sit quod [illegible]
testes [illegible] sufficiat
[illegible]
[illegible]
[illegible] Inglis [illegible]
[illegible] et [illegible]
[illegible] ut ei possit re
[illegible]
[illegible] Inglis [illegible]
[illegible] legati agere [illegible]
[illegible] legatum debitum non [illegible]
[illegible] legato [illegible]
[illegible] si non [illegible]
[illegible] si erat [illegible]
remitti [illegible] credit [illegible]
fuerit [illegible]
[illegible]
non [illegible] et si [illegible]
[illegible]

[illegible]

et [illegible] non potest
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] et [illegible] ibi
[illegible] et deliberatione
[illegible] violento [illegible]
[illegible] notorius [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] ordine
[illegible] non requirit
ordinem iudiciarium [illegible] manifestum [illegible]
[illegible] legaliter [illegible] intelligendum [illegible]
[illegible]
[illegible] notorius non [illegible] ordinem [illegible]
[illegible] et [illegible]
quod [illegible] restringendum [illegible]
colligitur [illegible] et [illegible]
obligatur si cum non [illegible]
[illegible] non [illegible]
[illegible] non fuit [illegible]
[illegible] Inglis [illegible]
[illegible]
[illegible] explicabit de [illegible]
[illegible] Inglis [illegible] generalia
[illegible] intelligebatur [illegible]
[illegible]
[illegible] et [illegible]
[illegible] non debuit
[illegible]
[illegible] narratio [illegible] dicit [illegible]
[illegible] agitur [illegible] dicit [illegible]
[illegible] debiti [illegible]
de plus [illegible] honore [illegible]
[illegible] derogat [illegible]
[illegible]
[illegible] proprio [illegible] et
[illegible] debitor [illegible]
[illegible] liberatur vel ipso iure [illegible]
[illegible] exceptione [illegible]
liberare [illegible] de negotiis
[illegible] non [illegible] duo
[illegible] Inglis [illegible]
[illegible]

[illegible]
[illegible]
[illegible]
[illegible]

[illegible]

orietur exceptio doli et excep. —
C. de recep. arbi. l. pen. quod non fuerunt arbitratores sed in arbitr. eo aliquo estimanda vel l. laudanda quia ex iudicium in proxi de [illegible] est quia peccatum et ideo sufficit arbitr. arbitratorem ut supra videbatur ff. pro socio l. si societatem coieris ff. de verbor. obli. l. si quis arbitratu et c. vobis si intervenerit vita. vel non propter vel non quia ff. e. sufficiendum si e. equum et magis non reducendum ad arbitrium boni viri ff. de oper. liber. l. si liberti et nota ordine suato procedunt et terminant ita sit quod causa questionem a re sua ut sit fuerit ut c. inferes si arbitr. non ff. de arbi. l. pen. § ad dictum quod sunt arbitrium emologationibus intendatur executoribus arbitratoris non quod ante ipsum emologatur ideo sit equa- [illegible] sit quoniam compromiserunt aliqui in arbitratores et compromiserunt sub pena iniusta stare mandatis suo mandat videlicet quod certum quis obtemperet mandatis suo subeat penam poterit necesse quod sit et iuri suo poterit renunciare poterit de regula ad apostolica. Immo et signum quod non plus operatur pena adiecta quam tantum proponit si iuramentum hoc verbo partes expressissent quod posset eum auferre de suo iure et in alium transferre petens licet vobis esse quod dictum quod tam expresso dicitur nihil operatur quod est causa si cum renunciatum peteret reducere ad arbitrium boni viri et in iusta stare mandatis non presumeretur eos qui possent allegare dolum licet non posset petere reduci vel quod habet intellectum si equi arbitrari est significationem est
est promittentes stare si sit iniquum quod intelligitur de iniquitate re ipsa non de iniquitate dolo sit debeat magis ad arbitrium boni magis reduci ad arbitrium boni viri sicut est et quod dicit compromissum de arbi. c. ii et quod non ii q. et a [illegible] = [illegible] si partes dicant quod possit procedere iuris ordine non servato quod potest ipsa verba et in quod possint procedere ut arbitri hoc importaret illa verba iuris ordine servato et ut arbitratoris hoc importat illa verba non servato et [illegible] si incipit procedere si [illegible] in tercio non emologata si quo dicto si [illegible] non emologata

iuris et promittatur non servata forma iuris magis valeat dicunt alii quod non sumus quod debeat arbitrari utrumque modum procedere vobis in [illegible] pluribus arbitrium non penitus est emologabile et est arbitramentum non iniquum super quo vide quod dixi de arbi. per tuas. Queritur vos quod si compromissum est in aliquem ut possit procedere servato ordine et non servato dicitur quod vobis compromissum in eum ut in arbitratorem ut probant illa verba non servato et si procedat ordine servato valet ut arbitri et subitur pena est iniqua. Si autem ordine non servato tunc ut arbitratoris. At non subitur pena iniqua nisi sit reducta ad arbitrium boni viri. Contrario si eligatur quis simpliciter in arbitrum dicitur quod non potest procedere ut arbitrator nisi in aliis verbis appareat ut quod dicitur iuris ordine non servato vel aliis similibus. Item si quis eligatur simpliciter in arbitratorem non potest procedere arbitri nisi expressis verbis appareat ut procedat ordine servato de quo in e. de arbitris [illegible] fi. Item nota in quod dictum arbitratoris magis emologari [illegible] voluntate ex dictis si partes expresse consenserint patenter expresso scripto parcium vel tacito immo et si equum sit emologate si partes contrarie erit expressio ex quo iudex ut exequatur mandatur. Item si in aliquem arbitrum reductum de arbi. c. ij dic ut vobis dictum super hoc quod si arbitri preter compromissum non liceat [illegible] nisi in [illegible] quod partibus et ceteris pena arbitratori et quod valeat renovata de re iure. Cum vero arbitr. sit pena emologata expresse et tacite patet ex dictis C. de arbi. l. pen. et si sit iniqua non reducitur ad arbitrium boni viri. Secundum quod dicitur in e. de arbi. dictum ut in nomine dictum arbitratoris non mittitur sunt certe legis ff. de oper. liber. l. si libertus dictum autem arbitri non mititur est si [illegible] legis [illegible] quos immo si pena sit promissa agitur de pena C. de arbi. l. i. si non tunc si ff. [illegible] mittitur [illegible] ff. de arbi. l. [illegible] et ij l. [illegible] autem sit pena [illegible] si tunc emologata sit tunc dicto et excep. [illegible] in pena tua [illegible] —
Coniuges per [illegible] [illegible] non [illegible] [illegible]
[illegible] minus erat [illegible] et [illegible] [illegible] [illegible] vel [illegible] [illegible] [illegible]

no [illegible]
[illegible]
qo
[illegible]
[illegible]

no pt xxxij q. i. intelligitur — Inglo ij ibi
in fine [illegible] q re [illegible] q si poss [illegible]
[illegible] ad mittere i pecto et vivere [illegible]
possit hec absurdu q invenie no [illegible]
vel [illegible] demo [illegible] vel alt' vivit
[illegible] i adulterio de quer [illegible] [illegible] et [illegible]
ubi vo alio [illegible] [illegible] si no [illegible] nil
[illegible] absurdu [illegible] alt' alteri adherere
[illegible] [illegible] capitulo

Si quis mat' cu [illegible]
[illegible] sup vivente fornicatio
vel [illegible] [illegible] [illegible] [illegible] [illegible]
relicte [illegible] no [illegible] vir [illegible] no [illegible]
re temerariu e [illegible] [illegible] si [illegible] [illegible]
adulterio no [illegible] [illegible] [illegible] no [illegible]
[illegible] [illegible] ij ibi [illegible] iij [illegible] q si [illegible] [illegible]
q [illegible] [illegible] [illegible] arguit [illegible] ibi ita [illegible]
[illegible] [illegible] ibi aliogn [illegible] arguendo [illegible]
[illegible] [illegible] [illegible] tollit [illegible] [illegible]
et [illegible] q [illegible] arg [illegible] [illegible] [illegible]
[illegible] tenet [illegible] [illegible] hec [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] de testi [illegible]
[illegible] de [illegible] de lege [illegible] et [illegible] hec arguit
quedam [illegible] no [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] de testi [illegible] [illegible] et
de [illegible] [illegible] lege [illegible] fide thori [illegible]
ulterius [illegible] [illegible] in mo et [illegible] [illegible]
[illegible] [illegible] [illegible] de [illegible] [illegible] [illegible]
fornicatio [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] adulterio [illegible] [illegible] evangelii [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] de [illegible] et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible] [illegible] [illegible] amori [illegible]
[illegible] [illegible] [illegible] cu [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] q i
est no [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] placet [illegible] [illegible]
intelligenda [illegible] [illegible] [illegible] [illegible] q intra
[illegible] [illegible] [illegible] q no [illegible] [illegible]
tractatu de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ut [illegible] q [illegible] [illegible]
[illegible] q temerariu [illegible] no [illegible] [illegible]
[illegible] [illegible] de [illegible] q de [illegible] q [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] q [illegible] [illegible]
[illegible] qui ab [illegible] [illegible] ij q. i. si
[illegible] [illegible] q [illegible] [illegible] [illegible] [illegible]
[illegible] si vero [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] aliq dicit q de [illegible] [illegible]
[illegible] q [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] q si [illegible] [illegible] [illegible]
[illegible] [illegible] no [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] ij [illegible] [illegible] q iiij i [illegible]
[illegible] si aliq [illegible] [illegible] deteriore [illegible]
[illegible] si i [illegible] [illegible] vel [illegible] [illegible]
[illegible] [illegible] [illegible] servari [illegible] ut i [illegible]
[illegible] si fiet [illegible] i differens [illegible] [illegible]
et [illegible] ut i [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] — [illegible] si fiat [illegible] [illegible]
[illegible] [illegible] [illegible] ut si [illegible]
[illegible] [illegible] [illegible] alicui [illegible] ut si fiat
[illegible] [illegible] q [illegible] [illegible] [illegible] ut si [illegible]
no fieri [illegible] vel [illegible] — [illegible] si [illegible]
[illegible] [illegible] indifferens [illegible] [illegible] vel
[illegible] no [illegible] [illegible] xxxij q. iiij si
aliq et [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] dicit aliq q [illegible] [illegible]
dicit [illegible] et dicit q si [illegible] [illegible]
et [illegible] q [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
q si [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] no q [illegible]
[illegible] no [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] de no [illegible] et [illegible]
[illegible] [illegible] [illegible] no [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible] [illegible] si [illegible] tollit
[illegible] ut si [illegible] [illegible] et [illegible] [illegible]
no [illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] no [illegible]
[illegible] q furtu e [illegible] rei aliene
[illegible] [illegible] qui [illegible] [illegible] [illegible] si [illegible]
[illegible] no [illegible] de furto no tenet
[illegible] q [illegible] [illegible] delicti

ubi quod non invenit non accusari inficere de

iterato ea consensu quod est respiciat se sui

liberum et spiritum in dei filii fieri

quod non omnium species [illegible] ubi mea non

accusare de futuro est firmius . non quod

quod dat in . delinquendi [illegible] si malum

decreto non cognoscere continua de si io

quod cum illa agere peccato et cognoscere se

ducere [illegible] si xi q in quod necessario

[illegible] xxxi q. i. [illegible] in intellectu deo

[illegible] et si libertas vivat non

[illegible] intellectu de impietatis [illegible]

[illegible] Jo. tamen [illegible]

[illegible] si quis est [illegible] Ingelo

[illegible] ibi de [illegible] ubi de hoc non

et ubi causa opus possunt tamen fieri contra

sacro de voluntate deponens qui potest re

[illegible] Ingelo autem ibi cum redditur

ibi de hoc et est [illegible] quod [illegible] tamen

bigamiam [illegible] Ingelo [illegible] de [illegible]

[illegible] ubi dicitur quod [illegible] non [illegible] inficere

[illegible] intelligas si ea [illegible] et [illegible]

[illegible] et [illegible] videre

[illegible] [illegible]

in ea [illegible] sui [illegible]

[illegible] et [illegible] ibi volentes [illegible]

quod [illegible] autem [illegible] apparere ibi

Jacobi quod probat auctoritas novi et veteris

testamenti [illegible] posse [illegible] unde [illegible]

[illegible] fuit [illegible] [illegible] mathe [illegible]

[illegible] ut quis [illegible] et [illegible]

culpe [illegible] pene et [illegible]

[illegible] non [illegible] xx q. i. [illegible]

capillum [illegible] quod non potest facere ea

[illegible] album vel nigrum alter quod non potest

[illegible] facere album et [illegible] quod [illegible]

[illegible] artificialiter [illegible] xxxiii [illegible]

[illegible] et fuit Jacobi [illegible]

[illegible] fecit [illegible] et [illegible] appel

[illegible] non [illegible] porro [illegible]

[illegible] quod non [illegible] i. [illegible]

[illegible] [illegible] lucam [illegible]

in [illegible] [illegible] non fecit [illegible]

in [illegible] i. q. [illegible] [illegible] i.

[illegible] i. [illegible] xxi [illegible]

[illegible] [illegible] Accepit deum

[illegible] c. xxxiiii xxiii c. Paulus

i. [illegible] inductum propter

[illegible] non credentium [illegible]

de quod [illegible] originali [illegible] fratres

et [illegible] ita est [illegible]

[illegible] xx. q. ii. non quod preceit [illegible]

[illegible] [illegible] non est [illegible]

[illegible] diligere [illegible]

creaturam [illegible] peccatores

[illegible] mala

[illegible] non sufficit ut [illegible]

et [illegible] creatore [illegible] honor qui ei

debetur impendatur creature [illegible]

[illegible] creatore [illegible]

de quo [illegible] ignorantia

xxxiii q. i. [illegible] qui et [illegible] infirmitate

[illegible] magis [illegible]

creaturam an creatore [illegible] quod [illegible]

creatore [illegible] deum [illegible]

creaturam [illegible] deum [illegible] creaturam et

[illegible] xxi q. i. [illegible] magis

[illegible] an [illegible] deum an [illegible]

[illegible] quod [illegible]

[illegible] cum [illegible] quod [illegible]

[illegible] peccat mortaliter

[illegible] creaturas [illegible] si [illegible]

[illegible] [illegible] si [illegible]

[illegible] xxii q. i. [illegible]

capillum et [illegible] magis [illegible]

[illegible] [illegible]

[illegible] [illegible] deum [illegible]

[illegible] [illegible]

[illegible] si quis [illegible] superflue [illegible]

et superflue [illegible] verbum

[illegible] et [illegible] mortaliter [illegible]

[illegible] quod mortaliter non quod [illegible]

quod [illegible] xxxii q.

[illegible] malis [illegible] tenet quod [illegible]

et hoc [illegible] et [illegible]

xxxii q. iiii [illegible] malis [illegible]

[illegible] obstinatus [illegible] deum [illegible] non [illegible]

[illegible] xxv [illegible]

non debitur quod [illegible]

in tenere contractum. Et quando si uiuat ipse qui dicitur
et primo lacessitus [illegible] quod ubi quis intendit
se obligare deo uel quasi mortuus predicat
[illegible] Et quando se promisit
tibi prestare [illegible] dicitur quod [illegible]
[illegible]
[illegible] Et quando si quis uiuat
[illegible] tenetur dare
[illegible]
[illegible] magis predicat
[illegible] uel uiuus
uel uiuus [illegible] creditore uel uiuus
creditum dicitur [illegible] magis
predicat [illegible] creditore [illegible] magis
predicat [illegible] creditum [illegible]
[illegible]
[illegible] magis predicat [illegible]
[illegible]
[illegible]
[illegible]

[illegible]

uera finalis [illegible] ut desinente
sole desinit lumine non tamen desinit effectus
[illegible] In uera finali
respectu momentanea [illegible] momentaneum
[illegible] ut quod hereditas defertur agnatis
[illegible] quo [illegible]
[illegible] agnatus et effectus quod [illegible] quo
moritur defertur hereditas et ipsa desinente
[illegible] effectus [illegible] liberi [illegible]
[illegible] quod desinat esse agnatus [illegible] hereditas
[illegible] agnatus quod recipit [illegible]
[illegible] finalis successiua
et effectus successiuus ut [illegible] rei publice
[illegible] a tutela finita [illegible]
[illegible] tutela [illegible]
[illegible]
[illegible] agnatus [illegible] tutela [illegible]
[illegible] successiuus [illegible] desinente desinit
effectus quod non recipit [illegible]
desinente agnatione desinit tutela [illegible]
[illegible] tutelas [illegible] successiua [illegible]
[illegible] momentanee [illegible]
[illegible] finalis uera uel [illegible]
[illegible] impulsiua [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] impulsiua [illegible]

[illegible]
[illegible]

[illegible]
[illegible]
[illegible]
[illegible]
[illegible] auctoritate [illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible]
[illegible]
[illegible]

de qsti' c dr q no valeat statutu [illegible]
[illegible] no.[illegible] An aut si [illegible]
possit capitulum facere statuta [illegible]
de [illegible] in [illegible] confessus [illegible]
[illegible] in q. i. c. i. [illegible] confessus
fuit no credit [illegible] confesso
[illegible] no [illegible] de [illegible]
confess c. i. [illegible] in [illegible] monachis
no [illegible] et quid de
[illegible] no [illegible] monachis [illegible]
[illegible] mori [illegible] Jnglo. i. [illegible]
[illegible] q [illegible] enormia et
[illegible] impediantur et dicitur [illegible]
[illegible] de qui [illegible] contenore [illegible] no ut ubi
[illegible] fuit [illegible]
[illegible] no [illegible] excepte [illegible]
ubi [illegible]
[illegible] no [illegible] tenz [illegible] fit [illegible]
dici q de morte [illegible] de
[illegible] no [illegible] dicit
[illegible] tunc [illegible]
[illegible] de [illegible] de testi [illegible]
[illegible] et c testam [illegible] contenore
tenz q de morte dicit [illegible]
[illegible] quis solvere
[illegible] certo termino [illegible] quarte [illegible]
no solvit [illegible] termino [illegible] no [illegible]
[illegible] q [illegible] ferro
[illegible] forte et [illegible] ferro [illegible]
no [illegible] ferri [illegible]
[illegible] excommunicatus [illegible]
[illegible] q [illegible] c [illegible]
in [illegible] Jnglo [illegible]
[illegible] solvere [illegible]
[illegible]
venerabile [illegible] et [illegible]
[illegible] alienat
[illegible] rei dotalis [illegible]
[illegible] et no [illegible]
[illegible] matrimonio [illegible]
[illegible] contrahere [illegible]
q alienatio [illegible] de re dotali no [illegible]
re [illegible] q contractus [illegible] lege
[illegible]

[illegible] et [illegible] q [illegible]
[illegible] obligatorum [illegible]
[illegible] et [illegible] [illegible] prodicto[illegible]
obligationis [illegible] q [illegible]
defensorum et de [illegible] de [illegible] et [illegible]
et [illegible] et [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
obligatioz [illegible]
ff de [illegible] no [illegible]
[illegible] no [illegible] de
[illegible] et [illegible] ubi [illegible]
et [illegible] placet [illegible] q [illegible]
[illegible] q [illegible]
[illegible] et [illegible]
[illegible] et [illegible] ff de [illegible]
[illegible] no [illegible] q [illegible]
[illegible] q [illegible]
obligatioz et [illegible] no [illegible] ferri
[illegible] dotalis [illegible]
[illegible] de [illegible] tutoris [illegible]
[illegible] confirmatorum et [illegible]
[illegible] et [illegible]
[illegible] tali [illegible]
et [illegible] q [illegible]
[illegible] no [illegible] q [illegible] et [illegible]
no [illegible] et [illegible]
[illegible] ff de [illegible]
[illegible] et [illegible] no [illegible] obligat
[illegible] confirmare
de [illegible]
[illegible] favore rei publice [illegible]
et [illegible] no confirmat [illegible] de [illegible]
[illegible] de [illegible] et [illegible]
[illegible] et [illegible]
de confirmatione [illegible] no [illegible]
[illegible] rei publice [illegible] ut [illegible]
[illegible] dotalis ut ff [illegible] q
[illegible] no [illegible]
[illegible] ecclesia [illegible]
[illegible] ut [illegible] et [illegible]
[illegible] no [illegible]
q [illegible] contractu [illegible]
et [illegible] et [illegible]

q[ui]a m[ulier] q[uod] se i[n] durit obligatio[n]e[m] p[er]
c[ontr]actu[m] i[n]ma[n]ere ut patet i[n] ... lege
so[lut]o ... obligatio ... op[ini]o[n]e ...
... ut ... i[n] ... ... et h[abe]t
... p[re]dit ... lex ... ... alienari
... lege ... ... i[n] ...
... inhibitu[m] ... alienatio
... no[n] ... c[ontr]actu[m] validare
...

[illegible]

ff. de l[egatis] ... f[ilius] ... = ...
... Valid[us] ... ... et
... no[n] validat ... m[ulier] ... ...
... et ... ...
ut ... si ... deficit no[n] valid[us]
... parti ... intelligen[dum] q[uod]
... deficit ... limitat[ur] ... m[ulier]
... et limitat[ur] ...
... de no[n] ... ... qui ...
... et ... et ... quid ...
i[n] ... ubi ... ...
... ... publice
... ubi publice si
... no[n] ... no[n] ...

[illegible]

q in pupillis volumus eum q q auctoritas patris
exorbitat a iure com. et a ponitie et pro
restringendum de per. di. ac q pone. Quid
dices de minori adulto sine curatore [illegible]
[illegible] cui auctoritate et iurat. dicunt quidam
q non obligatur q contrahitur pupillo sine
tutore ut l. si curator C. de in integrum restit.
Alii dicunt et verius q doli capax est C. de
delic. puer. c. i. et ii. et hoc volunt [illegible]
[illegible] q contrahitur a minori quidam
ad contractum non est quidam ad periurium
Quid si iurat [illegible] non venire dic q si
fuit iuramentum [illegible]

[illegible]

[illegible]

Clerici ... non tenentur

[illegible]

q2 mere e q2 ꝯtruat2 feudu q2 non e
q2 non ꝯsist res feudalis in ꝯbct2 cu
infra sit allodia et aure premeu
aut terra libera e ni t quatu violatu
i illam i ſitu de uir na q mo dr
ꝯferit et de liber q .i. - ſs aio res
eccia[d] A. oyoꝯstitue sub e cpo xo q r
regeda in i ecc[ie] e reqre allodia
hereditarij di in[multa] i ꝯpalibz poss et fide
dici no quo adſtrumire ſs q° adunr
dnos ff de mutua. l. i cola et quo
ad ius ſubiecte ꝯgitas reo i ciuo uel castro
ff de cap[t] l. for q ſi uero ff [d] publi
l. i ꝯqdrans C. d. i re acto l. si pecy
quo ad ꝯpriete et de ꝯppta ꝯpue hure
de uis in castro malite ubi note aliq
ꝯsuasions ꝯpriedit de ꝯtsq ex officij poss
n. aut ille castra aliqm cu terriſ ꝯ
ficere et dicer2 ꝯp et cavere su ꝯpui
ea ff de uer sig l. pupillus q territoriu
pecij in boi ectij q2 deuure cu no cua
e acephala sit g° subiecte cpo no
tm dicas ſecus q2 no e q2 sint feuda
bn n[r] est d° ſcclaris sut acephala
lia n[r] est [illegible] ſecularia sut acephala
q2 ſubiect sub sut i ꝯdecori - [illegible]
q2 ꝯsit ee aliq castra libera [illegible] ſtc
[illegible] ſt ale q [illegible] ſubiacij ꝯptbat
et tut si quicqua domini cuiuslibet..
no ꝯtend dnnz castra illa cu ꝯiuste hre
feuda alayers de ap ro q dubet i q
de ſo ꝯticeus g° dici st q petitio eis

Rm uia q aliq no ee
q. su i ꝯpus et ee ſuc eius
ee sit ꝯ° ꝯtat2 i temporis petitio ſs int
ꝯ° ibi i ꝯ oc [illegible] hic dicit q2 petebat
clarici adq ceñt ꝯtrarii reg uia
ꝯincipari ꝯ ſtatus eccie dig° dat2 layci
ꝯuatur capite [illegible] q. 6 ſs idem ꝯalea
d. f. [illegible] q2 ingeniu ſmoc no ꝯphed2
ꝯ° legtis ſtc q2 ua generalit legatr
sut in ꝯuia - Et si qras q re sit
ꝯ° intercept2 ſuo q2 uita[tu] g imr ea..

de qbz e actu tm ſs hic actu erat de
ꝯsumendo g° adi[d] refer2 tm - Rud
ꝯ si nil eet actu dicas tut q2 adhuc
ꝯotest ee ꝯ ipm ꝯ uirib3 ecclie ut ꝯ e
ꝯ uel x et ide dicas quatu ad dno ꝯua
lex aliq q° e i a dicis hic e ad qbz
nota xi q m ꝯ ꝯdecessor et [illegible] qa
illud . Aut si illud ille quid no aq
nosse generalia possit illa cognoscere si illa
dicat i ꝯore et eis ibi glo q2 sit f
[illegible] i ſs si uia[m] eet actor
meru dr ut [illegible] e si uero et e
[illegible] ſs si miles fac ꝯuoti ꝯstitu
[illegible] loctu hic intercepto ff [illegible]
i ſs si quis dui i loca[de] generali
ꝯphendat2 ꝯ° legtis dc q2 d ſmo e
uniformis uniuersitas aquance relatu
ad ꝯsonis legtis et tut ꝯphendit ꝯsoz
legtis q2 difformis tut si sit differ
uo ros gnerius uel [illegible] ſs mod
et no mitti ꝯ° legtis uide si uoto
difformis q dos no mitti q me
Si aut uniformis tut uel ut legis
ut l. a qsitio C. de solu ſs bn uel
ut ale ut l. eu i ca ff de pete hic
al[ta] i glo i gn ſt e ex his eis
Si unde x a ꝯri° eo uia[m]
dr uer[te] ꝯtribz no eo
agit i ꝯtessu eo illud ꝯge ꝯotat ꝯ°
ꝯat° fci mirra° u ꝯmi° ꝯtt ꝯ exque
dre q2 ſupp du° no fo2 ſuia xi q iii
ꝯiue quasi hoc d[t] q2 hic no ꝯateret
ee bn nato [illegible] ro du[d] q2 uideba2
ꝯptu° ꝯpfendit [illegible] ne uerius dicit
te xi q m q° ꝯ de cri fal e A = Quid
te xi q m ꝯa ꝯe de cri fal e A = Quid
si defendit creditor et debitor dr
si defendit creditor et debitor dr
hoc q2 uidex ꝯſideralit ꝯpuenit creditor
et quatu uiliz res q2 sit aliq q mu
ꝯidit terra ꝯte uel plus uel ꝯſuadabr
ꝯ forma dicenie i hus eu dubio ab
ſolut neq hoc ad tenet2 ꝯparii xi
l[d] tenetur [illegible] nom ſuap ut i ca
exogitati de ꝯpu ff [illegible] i dr

4[o] legtis
[illegible]

ut dicunt ex alijs c. ii. libro

Inglo si ibi qualis . . . c. ceterum si non
qualis quia defectu c. et in collectio eius

Si uos quod prest inualuit
non alienare non sub alie

natio quod fit est si inualuit non queritur in
collecta non est quia forte cancellandum
uituperent reges. Non quia ille qui possidet
mutaret de quibus bene dicit et possunt
in feudare dominus. Quia predicta nouus
prima derogat primus. in uiam pre
si sit licitum ff. derogat. Item . . . tirannus
quia sit . . . ff. . . licitum
et sit non sciendum . . . quod esse
ex . . . ii. de c. i. ii. et iii. de
. . . de . . . et . . . et c. gradi de
. . . tollit
. . . inglo . . . alienare
. . . in religione . . . alienari
. . . afferentibus . . .
inter . . . ut in quibus. In
glo. i. ubi . . . c. . .
. . . et propter . . .
. . . ut in iure et . . . et
. . . in glo.
. . . in illicitis . . .

Si inter uiam . . . alij pari
te ipsum et . . .

. . . non . . . derogat bona
. . . bona . . .
. . . et sic . . .
sunt . . . non esse . . .
. . . derogata bona . . . quod uiam . . . non
. . . melior . . .
. . . dare . . . fuerint . . .
. . . elegit . . .
. . . derogat . . .
. . . dicta . . . cetera . . .
. . . bona . . .
quia habebat . . . fuit . . .
in . . . debuit . . . bona . . .
cum non fuit . . . inferioribus
. . . si . . . debuit . . .
. . . non . . . dicta quod . . .
illa . . . et . . .
et . . . dicebat . . .
. . . bona

. . . reg. . . .

ut est derogat. Quia ii. mihi uiam alie fore
bonum . . . debuit fieri . . . c. si
et tamen . . . fuit . . . de . . .
. . . debuit
. . . mihi . . .
. . . quia . . .
. . . derogari bona . . .
. . . de non . . .
. . . et . . .
uia . . . aliquid . . . mali
ut . . . posset stare . . .
. . . in . . .
. . . bona
quod . . . bona . . .
. . . non . . .
ibi non erat . . . quia iiii. mihi
. . . non debuit . . . admitti
. . . si de . . . in gente . . .
. . . ius omnes . . . de
. . . de . . .
. . . de . . .
et . . . diffinitum . . .
. . . non . . . de . . .
. . . quod in . . . in qua
. . . de . . .
. . . Inglo. i. c. si de . . .
. . . absolucionem
. . . si . . . illa . . .
quia de . . . si . . . absolucionibus . . .
. . . Inglo. ii.
. . . et . . .
. . . dare fuit . . . quia
si fuit . . . bona . . . de . . . c. ii.
. . . si non fuit . . . derogare
. . . prestari quod non
. . . derogare bona . . .
. . . quia est . . .
. . . non . . . in . . .
. . . si non . . . de
. . . non . . .
. . . in . . .
. . .

in̄ bonū ūri possid̄ et ubi de quibꝫ
supͣ cui qm̄ dt mlt̄ precedo cū
aliis limitꝫ ꝙ habi scͣ c. extra eadē
Iurans quare statuta edi
ta et ꝑ. ꝓmittes uigo
re fuīs iuramti quare attendā ad ista
quatenus iura nō astringūt nō dr̄ qr̄ bm̄
⁊ eadē extra ide. insuꝑ 2ͦ ꝓmittes
consuetudines uni al̄ secus ut .1.
dicā. Ro. dn̄. qr̄ ꝑ ea ꝓmiserit
quare attendā uigore iuramti 4ͦ ubi
uirtute iuramti repetē. Ro. ꝗ. qr̄ ꝑ fuit
iuramti appositum ꝑ narrationē ecc̄o
nō arctabat. Ro. qr̄ i differentiis
cōs expsso 3ͣ ubi ꝫ loculi de ecclesia
c. ii. de ꝑsum nō ne ⁊ ꝓ de l. s. e.
ꝗ nō ꝑtꝫ obligo possunt ꝑ si obligo bō
mea i celebr̄ de ꝑuiꝫ et futis dec.
ꝑ cū de ꝑ iurt dicit̄ aliꝗ ꝑ ubi ꝑ
Adhuc ꝑ ꝑ fuīs hoc habetur maꝑ
iurand̄ ꝑ iuramti si potentes
ita tollit ea qm̄ uꝑ quis alt̄ uiolē
quare statuta ꝑ et tūc i dr̄ asstri
ꝑ adū edita et attendā ꝑ sequi
ꝗ ꝑ hic indefinita capitꝫ uni
qm̄ ꝑ hic quare edita et attendā ꝑ
ꝑ ꝑ uiolē quare edita tm̄ attendā nō
ꝑ uiolē quare uno de differentiis ꝑ expsso
ꝑ qr̄ uno de differentiis ꝑ expsso
ad cautelā ꝑ de ꝑsum nō ne et tꝫ ma
reꝗ ꝫ de ꝑtꝫ alī ꝑ ꝑ ut̄ quare
edita et i ꝗnti ꝓmittit ꝑ eadē
ea quare et ad illa tūc qr̄ ꝗ i
ꝗnti fuit i ꝫ uidet̄ ꝑ ꝑ certū
ꝑ. ꝑ. ꝑ et ꝫ de ꝫ officiꝑ
ꝑ ꝓmittit consuetudines nō astringūt
accedentes ꝑ ut dixi tūc nō dispensat
ꝑ iuramti ꝑ iuram et ꝑ ad
i ducebat ꝑ ꝑ ꝑ consuetudines ꝗ
ꝑ ꝑ iuramti ꝑ ꝑ consuetudines
ꝓmittit aliꝗ ꝑ uigore iuram tm̄
ꝑ ꝑ ꝑ nō astringūt iuramto tm̄
ꝑ ꝑ ꝑ ꝑ ꝓmissiꝫ ꝑ

Queritur ꝑ si ꝑ ꝑ ꝑ ꝑ
i fidā hoc hic ꝑ ꝑ ꝑ ꝑ
defidemꝑ ꝑ ꝑ ꝑ ꝑ ꝑ
c. i. libi et ꝑ ꝑ nō ꝑ ꝑ ꝑ
ꝑ fides uel ꝑ ꝑ ꝓmissū ꝑ iuramtꝫ
de arbi cū quē et c. ꝑ ꝑ ꝑ ide
e. c. ꝑ ꝑ ꝑ ꝑ ꝑ ꝑ ꝑ
ꝑ et ꝑ ꝓmissꝑ ꝑ ꝑ ꝑ
al nō qr̄ ꝑ ꝑ de iuramto ꝑ
ꝓmissū ut dixi e. c. debitores ꝑ
ꝑ aliꝗ ꝑ ꝑ ꝑ ꝑ iuramti
ꝑ ꝑ ꝑ ꝓmissiꝫ ꝑ fide
ꝑ si ꝓmissio ꝑ ꝑ iuramti ꝑ ꝑ
ꝑ ꝑ ꝑ al nō et ꝑ
ꝑ ꝑ ꝑ de noxa ꝑ ubi si ago ꝗ aliꝗ
ꝑ ꝑ ꝑ ꝑ ꝑ ꝑ
ꝑ ꝑ ꝑ ꝑ et tm̄ ꝑ nō
ꝑ ꝑ ꝑ si ago ꝗ ꝑ ꝑ
ꝑ ꝑ ꝑ oritur actio nō ꝑ
ꝑ ꝑ ꝑ fides ꝓmissa ꝑ ꝑ
iuramtꝫ ꝑ ꝑ ꝑ ꝑ ut ꝑ ꝑ
ꝑ ꝑ ꝑ ꝑ ꝑ ꝑ si ago
ꝑ et ꝑ de fidemꝑ ꝑ ꝑ ꝑ ꝑ ꝑ
ꝑ noxali ꝗ aliꝗ et ꝑ hoc i ꝑ
ꝑ ꝑ de noxa ꝑ si ꝑ de ꝑ
ꝑ ꝑ ꝑ ꝑ ꝑ ꝑ
ꝑ ꝑ oritur actio et i
ꝑ ꝑ fides ꝓmissa ꝑ iuramto
ꝑ ꝑ ꝑ ut quo ꝑ ꝑ
ꝑ ꝑ ꝑ ꝑ ut nō ꝑ
de ꝑ ꝑ c. ꝑ ꝑ ut nō ꝑ
ꝑ ꝑ ꝑ ꝑ ubi ꝑ ꝑ
ꝑ ꝑ ꝑ ꝑ ꝑ et ꝑ
ubi nō ꝑ nō iuramti ꝑ ꝑ
ꝑ ꝑ ꝑ ꝑ capitulꝑ
de iuramto ꝑ nō ꝑ ꝓmissꝑ
ꝑ ꝑ ꝑ ꝑ ꝑ
ꝑ ꝑ ꝑ ꝑ ꝑ futura
ꝑ ꝑ ꝑ si ꝑ de ꝑ ꝑ nō
ꝑ tūc ꝑ et futura ꝑ si ꝑ
de ꝑ ꝑ ut ꝑ ꝑ ꝑ de
ꝑ et ꝑ ꝑ hic ꝑ ꝑ ꝑ
ꝑ ꝑ ꝑ ꝑ ꝑ et tm̄
ꝑ ꝑ futura ut ꝑ ꝑ ꝑ ꝑ ꝑ
ꝑ ꝑ ꝑ ꝑ ꝑ ꝑ ꝑ
ꝑ ꝑ ꝑ ꝑ ꝑ ꝑ
ꝑ ꝑ ꝑ futura ꝑ ꝑ ꝑ ꝑ

Incorporalibus autem si furtivis, tenetur quantitas tantum in res autem fuit per alluvionem ff de usufructu l. adhuc et an in fungibus ... refert. an que depositas possit experiri qualiter praedictum ... ferri et tenetur furtiva ut l. si fur ff de furtis ... tenetur non potest experiri et tenetur si agitur de iure pignoris tenetur ut furtiva ... ut l. si ... agitur de ... et tenetur sola actio ut l. ... et ... ff de ... et de lega ... a lege ... futura ff de aliene lega et ... lege ut l. ... defuncti ... tenetur ... ff de ... et tenetur ...

[illegible]

modico praedicto agitur ut l. si ... obligatur. Si id est ... tenetur furtiva accessoria ... ff de l. i. l. si ex toto et l. ... verum etiam. Si autem legatum ... tenetur non tenetur furtiva ff de l. i. l. ... Si autem ... de modico praedicto tenetur ut furtiva ut l. si ... obligatur. Si autem de magis praedicto tenetur si praedicti ... furtiva et tenetur tenetur ut l. furtis ff si ... Si autem non potuerit praedicti tenetur non tenetur ff ... ff de au. et ar. lega.

Inglesi ... hic ... Bartoli ...

habes ... et presumantia ...

[illegible]

de actore et si uiceversa uidetur esse recte
vel quod iuratur vel quod refertur est vitabile
non possit recusari ff eod. l. manifeste
C eod. l. de liti(bus) iurando et l. generaliter C.
eod. l. licet quod possit recusari et dicunt aliqui
quod illud l. corrigitur iura. Alii dicunt quod
pro iura intelligitur cum non suscepit conditionem
tamen hec opinio quod pro iura intelligitur quia non
sub isto casu generaliter quod sub isto casu est
cum hec concludes est si queras quid erit cum
nisi quod dico quod si putes si deberi tenet
contra [illegible] et des quod iure hoc est cum nisi
actio et si [illegible] liber peti vel agere
si [illegible] ut l. cum qui liber [illegible]
de his [illegible] esse effectum quod
dicit hoc iurat. dic quod [illegible] agere
cum ei l. actori. [illegible] tamen adde
[illegible] C eod. l. actori. [illegible]
[illegible] si actor iurat cum [illegible]
sine actione si ex contractu et actione facti
si iurat cum [illegible] tamen [illegible]
actio facti et si aliquis [illegible] actione
[illegible] aleget. Alii dicunt quod [illegible] iura
[illegible] si [illegible] et hec opinio potest
[illegible] equitate [illegible] de
fert reus iuramentum actori actor iurat
[illegible] debere [illegible] appellat
[illegible] quod [illegible] [illegible] l. generaliter
[illegible] C eod. l. [illegible] et l. generaliter
[illegible] si refert et iurat [illegible]
[illegible] dicunt aliqui quod non quod
referens [illegible] defert [illegible] et hec opinio
refert [illegible] defert [illegible] refert [illegible]
[illegible] quod si non [illegible] cum et recusari
defert quod si non [illegible] ut [illegible]
[illegible] quod [illegible] ut [illegible]
dicebat [illegible] defert [illegible] refert
defert [illegible] C omnium testium [illegible]
[illegible] et [illegible] C omnium testium [illegible]
defert [illegible] refert [illegible] recusat
re nisi [illegible] ut [illegible]
[illegible] hoc defenditur [illegible]
[illegible] actione [illegible] in more
dicit aliqui quod defert [illegible] in more
[illegible] quod [illegible]
debet esse [illegible] [illegible] doctores
[illegible] et l. [illegible] C de probat.

[illegible] l. [illegible] si agitur criminaliter
non defert [illegible] [illegible] ut [illegible]
et [illegible] quod [illegible] defert [illegible]
actori quod [illegible] si [illegible] loquitur
de [illegible] actu. defert non actio
[illegible] nisi actus [illegible] probasse
vel nisi [illegible] in uecordia de [illegible]
[illegible] si actor [illegible]
et defert iuramentum [illegible] si in [illegible]
[illegible] actu. [illegible] condicione
[illegible] opinio quod non quod [illegible] in uno [illegible]
[illegible] ff. eod. l. cum [illegible] si [illegible]
[illegible] non [illegible] aliquo quod [illegible]
[illegible] ut [illegible] et si [illegible]
[illegible] quod ei debuisse deferri [illegible]
quod [illegible] actu. non defert de [illegible]
quod [illegible] non [illegible]
de [illegible] ut [illegible] si forte [illegible] et possit
[illegible] opinio [illegible] deferri in [illegible]
[illegible] C [illegible] quod non
[illegible] quod [illegible] deferri [illegible]
[illegible] quod [illegible]
[illegible] de re [illegible] et C [illegible]
[illegible] aliqui quod [illegible]
[illegible] hoc [illegible]
[illegible] C eod. l. [illegible]
[illegible] quod [illegible]
[illegible] quod [illegible] ut [illegible]
[illegible] de fuga quod [illegible]
quod [illegible] fuga [illegible]
[illegible] ut quod si [illegible]
[illegible] dicit [illegible] non
[illegible] fugisse si [illegible]
[illegible] fugere
[illegible] C omnium testium
et hoc [illegible] testis in
dicit [illegible] testium [illegible]
l. [illegible] ff. de
[illegible] et l. [illegible] C de testi(bus)
[illegible] dicta [illegible] hec non [illegible]
[illegible] duo [illegible] suscepte
[illegible] duo [illegible]

g° offerat eu aptar i dui[l] ad f. ethe
apaff rinj q pr ibi volunt captatorie
me eu gla et q mi hic fide te q dicitur
mi qrrj uide e ple i sorte q qnj fi
ple et pr q° lz g od et g ou mi or
rej q filius petens bonorum possessionem car
bo plat scriptis ff de carbo edic. l.
m q ee — quod dicis de fama re
curre ad no decreti vacans. l. — que
q fuit illa q i ferre hoc iura[m] appaui
dr q qualitas psonarum mi ee et quali
tas rei qr ponderat q qpctior q
legalior. Jte mi ee dn pr ciuilis
uel crimi. cm pl. hos dicebam qr i
quolz genere cap defer[z] iura[tus] ee
qr si esset ciuilis no deferret[z] iura[m]
f tm fiam r q actore no q[te] re ab
solu[z] et hec quantitas pondera[t] p ca
uitate negociu et qualitate psonar
qr i aliqibz pticibz magna e legatu
ag uel lim. ff de ali lega. l. men
m. Jte porr e mitigata et mi
duos pauperes q est modica mi duos
diuites — quod si debet deferri
iura[m] et actor et reus sit i pari cau
qr eque honesti et eque probant cui
deferat[z] aliq dicit q actori q labo
rauit qr q no laborare no mitatur
ff de dap i fer. l. gnus ff de neg
l. si ex duobz q fi alii q si cuiq placet
alteri dez deferri qr cuiq i gene
se sic potest ff de pcur. l. q odiat
hanc opion s° q q iura[m] dez ei
deferri de q no e consuc q decret
C de i dicta. edi tol. l. ij i auc
ut debite et credi ma no q si
si reus finaliter detentor q actor
qr mag tractat qs de dap quanto
q delictus capitales ut l. cum. C de
edi tollen et hec ex paria qr i q
regulariij sic aqui quod si ualz si
no i psonis heredes ff sol. l. si se
marit q legatu ff de q et demo

l. si eni expisse ff de uer obli. l. ratione
aliq q q reus q fauo[r] et hoc ex q h[ic]
c. et l. ab matum pe q minor e uerera
dui i poteti pntribz qui debiit uetere
p nupis q reus qui i pote i prinpis
— quod si actor psone q[ur] et reus
perpla magis deferet[z] dicit aliq q
pe qr perple rei i sugit aliam pe
sona us psone actoris q remanu
sola perple[q] Alii ut pi. et cyn
i. l. i bec fidei C c. ti. ubi hec mi q
placat[z] dicit q ubi ple[a] et perple[a]
sint q passi[bus] ut i debitis et pacto de
no petendo forent pna q actore pte
q q° perple[a] rei no extenuat ple
na actoris pecus si sunt i q pass[ibus]
q tm pccedit cumulatio — quid an
expso onerat[z] aliq° acto et uz q sic q
onitur obuoluciono ut g dyd. alii
q q pl pprium fas pna et cetera i
fungit acto no e genere ult.... ri
actore et hec hoc ut no[ta] C c. ti
l. a. i gla et q hec hie expedito glo
licz no placet uer[i] ut su de q.

Capo de pbat i genera et i q q accept
recipit i pe hoc q° no admittit[z] ha
ru. f de excep et hic i decl in qq
q excep° si° e dem q c.
Si tempus decime q eu
excepio gnutur uel
ad gnerel appar repellit actio si
decimu no pniuitur si no tangit me
gom prin. dic i q aff ut ed
paucta signa[z] i puncto ii ubi q si
q ibi exceptio i forma de c. restitum s
de c. pesti s° dicit aliq q dez intelligi
de i feruamp pec si sic i fair fri
de q. dic ut ibi s. lz auferpsa ex
de c. eu grauem lm q. a. s° marula
ait expedit no aut corporis nisi testi
ficauet[a] q eue i cet cri[mi] de q° ad
ut i c. ipi apli ni q. en —

confessi. ff. de c. [illegible] quaestionibus de eo et c. ii. de confessione ergo de confessione [illegible] in hoc
dicitur non [illegible] nisi cum tangat ne
gocium de quo agitur ut in contrarium et sic
contra [illegible] vel dic quod in [illegible]
contrarium quod hic non [illegible] et hoc
quod [illegible] confessio constat de contrariis
ut in contrarium adducatur [illegible] de testibus [illegible]
et si [illegible] constat de [illegible]
et contrarium non [illegible] de eo [illegible]
c. ii. [illegible] et [illegible] [illegible] quod
[illegible] non [illegible] si [illegible]
[illegible] pro [illegible] vel in [illegible]
si [illegible] confessio [illegible] aut [illegible]
[illegible] et [illegible] in [illegible] et [illegible]
[illegible] quo [illegible] contrarium
[illegible] in [illegible] quod non
[illegible] non [illegible] quod
[illegible] negocium pro [illegible]
confessio [illegible] in [illegible]
[illegible] et [illegible] dic quod
[illegible] non [illegible] quod
[illegible] de testibus [illegible]
[illegible] de [illegible]
[illegible] quod non [illegible] casus [illegible]
[illegible] dic [illegible]
[illegible] non [illegible]
[illegible] in [illegible] de testibus
[illegible] non [illegible] testium [illegible]
[illegible] de [illegible] testes
[illegible] non [illegible]
[illegible] de eo [illegible] c. ii. [illegible]
[illegible] negocium de quo
[illegible] de [illegible] et [illegible]
[illegible] si [illegible] quod de [illegible]
[illegible] et [illegible] dicitur quod [illegible]
debent vel [illegible] sic [illegible]
[illegible] non [illegible]
[illegible] testes [illegible]

[illegible] non [illegible] de testibus [illegible] plenam [illegible]
[illegible] negocio [illegible] apparet
[illegible] ut ibi non [illegible]
in [illegible] [illegible]
[illegible] non [illegible]
quod de [illegible] non [illegible] ibi
[illegible] videtur [illegible] in [illegible]
[illegible] ubi constat de [illegible]
confessio [illegible] quod [illegible]
[illegible] et [illegible]
[illegible] quod non [illegible]
[illegible] quod [illegible] ut
in [illegible] ad [illegible]
non [illegible] quod [illegible] de [illegible]
[illegible] in [illegible]
[illegible] a loco [illegible]
[illegible] [illegible]
[illegible] non [illegible]
confessi [illegible] si [illegible] ibi et [illegible]
[illegible] quod probabatur [illegible]
[illegible] et [illegible] quod probabatur [illegible]
[illegible] quod non probabatur [illegible]
quod non [illegible] in [illegible] ibi
[illegible] ibi [illegible] ibi
[illegible] [illegible]
[illegible] de quo [illegible] in alio [illegible]
et non [illegible] negocium [illegible]
[illegible] si [illegible]
[illegible] si [illegible]
[illegible] quod [illegible] non [illegible]
[illegible] et [illegible] non [illegible]
[illegible] de [illegible] quod [illegible]
[illegible] testes
[illegible]

[illegible]
quod actore de [illegible] non [illegible]
[illegible]

[illegible] et [illegible] quod
[illegible] de [illegible]
[illegible] de [illegible]
si [illegible] non [illegible]
[illegible] in [illegible]
[illegible] non [illegible]
[illegible] de [illegible]
[illegible] et [illegible] non
[illegible]

[illegible] replicatione [illegible]
[illegible]

[illegible] filio a lege repelleretur — [illegible] repellitur i. e. exceptione [illegible] maiori [illegible] minori [illegible] Inglis [illegible] non competit exceptio [illegible] exceptio [illegible] replicatio [illegible] maiori [illegible] minori [illegible] replicatio [illegible] actione [illegible] exceptio [illegible] de replicatione [illegible] exceptio [illegible] replicatio [illegible] actori [illegible] replicatione [illegible] exceptione [illegible] replicare [illegible] libertate [illegible] replicare [illegible] replicatio [illegible] actione [illegible]

[illegible] exceptio [illegible] replicatio [illegible] exceptio [illegible] replicatio [illegible] de adulterio [illegible] exceptio [illegible] de adulterio [illegible] replicatio [illegible] duplicatio et duplicatio [illegible] triplicatio et triplicatio [illegible] quadruplicatio [illegible] replicatio [illegible] exceptio [illegible] replicatio [illegible] de adulterio [illegible] replicatio [illegible] exceptio [illegible] replicatio [illegible] actione [illegible] replicatio [illegible] replicatione [illegible] replicatione [illegible] exceptio [illegible] replicatione [illegible]
[illegible] exceptio [illegible]

pardon in mandatum ubi mandatus [illegible]
publice quod primo mandat in exceptionis repellitur
[illegible] reddat [illegible] ibi cum quod [illegible] dicit pardon
[illegible] quod offerri [illegible] quod impedimentis [illegible]
[illegible] quod [illegible] alium matrimonium [illegible]
[illegible] cessaret [illegible] quia [illegible] contingit
[illegible] non [illegible] de sua repetione
[illegible] opponere [illegible]
[illegible] conversa [illegible] [illegible]
[illegible] non [illegible] non esse [illegible]
[illegible] et [illegible] plana
non quod exceptio [illegible] non impedit [illegible]
[illegible] ad [illegible] de [illegible] constitutis
de [illegible] plerumque alia
repellitur [illegible] in [illegible] quod
[illegible] mutuam [illegible] tollitur
de adulte [illegible] Item ubi
[illegible] et [illegible] privilegium [illegible] quod
[illegible] de [illegible]
[illegible] non [illegible] quod [illegible]
et non [illegible] non [illegible] opponere [illegible] ubi
[illegible]
si princeps [illegible] licet [illegible]
[illegible] ubi [illegible]
Et ibi auctores [illegible]
alio modo [illegible] non [illegible]
[illegible] Item [illegible]
[illegible] et [illegible] petitio non [illegible]
[illegible] de [illegible]
[illegible] exceptio
[illegible]
non [illegible]
effectum [illegible] de [illegible]
de [illegible]
[illegible] primo
in [illegible] possessionem
[illegible] de [illegible]
ubi [illegible] petebat [illegible]
[illegible] non poterat [illegible]
[illegible] repellendus [illegible]
petebat [illegible] exceptio

[illegible] cum [illegible] in [illegible] in [illegible]
tu [illegible] de [illegible]
[illegible] non poterat
[illegible] non notarium de [illegible]
quod est plus quam de [illegible]
[illegible] quod [illegible]
[illegible] non est [illegible] exceptionis
[illegible] non [illegible]
quod [illegible] ut de [illegible]
[illegible] beneficia
[illegible] non possit [illegible]
[illegible] non est
[illegible] non [illegible]
[illegible] non [illegible]
[illegible] effectum
[illegible] non
[illegible] conferre [illegible]
[illegible] et [illegible]
effectum de [illegible]
[illegible]
[illegible] non [illegible] Item [illegible]
[illegible] erat [illegible]
[illegible] effectum de
[illegible] non [illegible] non [illegible]
[illegible]
[illegible] non est [illegible]
[illegible]
[illegible] non est [illegible]
[illegible] de
[illegible] non opponuntur [illegible] tollitur
[illegible] non opponitur [illegible]
mutua [illegible]
[illegible] erat [illegible]
[illegible] non debebat tolli mutua
[illegible] erat [illegible]
[illegible] negligentiis [illegible]
[illegible] negligere [illegible]
[illegible] mutua tollitur [illegible]
[illegible] quod [illegible] non
[illegible] opponebat quod [illegible]
quod [illegible] quod [illegible] non
[illegible] opponere [illegible]
[illegible] eodem morbo

hoc dicebat q(uod) pluralitas erat c(ri)mine et
dicebat q(uod) ipse c(on)tulerat eccl(esi)a(m) s(e)c(un)d(u)m
hac r(ati)o(n)e ad q(uo)d (con)s(ulitur) hac pluralitate
q(uod) c(on)tulit eccl(esi)a(m) s(e)c(un)d(u)m sic(ut) dices q(uod)
no(n) plurales no(n) poterunt oppo(n)e(re) q(uia)
p(er) legem ... ut dixi s(upra) glo(ssa)
hac c(on)cedit ... s(ed) di
cunt plurales ... repelli ...
... q(uod) si ... defende(re)
... q(uod) plures ... oppo(n)i ...
... oppo(n)i ... c(ri)mi(n)is ...
... t(ame)n ... q(uod)
tenebat et no(n) fuit ... motu
... et plurales et no(n) plurales ...
... opponere ... sic ...

[illegible]

dilatio(n)is ... intelligu(n)t ... Ite(m)
q(uod) ... no(n) intellig(untur) ... ...
... ad primam ... nisi ...
exigat ... de ... ...
... intellig(untur) ...
... ip(s)i de ... (con)suluit
... q(uod) modificues ... hac
... dilat(ion)ib(us) ... et ...
... no(n) aut(em) si ... decretu(m)
ut l. ... et ... et ...
l. ... Item ...
... glo(ssa) ... ...

[illegible]

[illegible]

[illegible]

[illegible]

de [illegible] ... [illegible]

[illegible]

de [illegible] ... [illegible]

[illegible]

[illegible] hic [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible]

Inglesc[illegible] [illegible] [illegible] [illegible] et [illegible]
posse compensari [illegible] [illegible] in compensatione [illegible]
[illegible] non [illegible] [illegible] ut debitum [illegible]
ff. de compensatione [illegible] [illegible] potius [illegible] et [illegible]
[illegible] compensamus ff. [illegible] [illegible] [illegible] [illegible]
[illegible] debitor [illegible] [illegible] si debitum [illegible] [illegible]
[illegible] exceptio [illegible] [illegible] [illegible]
fiet compensatio [illegible] admittere [illegible] [illegible]
[illegible] Si autem [illegible] [illegible] exceptionem [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] publicam [illegible]
compensare posse [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quando [illegible] [illegible]
[illegible] debitum [illegible] [illegible] [illegible] [illegible]
autem compensatio fiet exceptio [illegible] ut [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ff. de compensatione [illegible] [illegible]
compensare posse [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] non [illegible] non [illegible]
[illegible] ff. [illegible] [illegible] [illegible] et
[illegible] [illegible] non [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] compensatio [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] admittere ut [illegible] et
ff. de [illegible] [illegible] [illegible] [illegible]
vel [illegible] ut compensatio et [illegible] non [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] posse
compensare [illegible] non [illegible] [illegible]
[illegible] si admittere [illegible] [illegible] non
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] et [illegible]
non [illegible] [illegible] non et [illegible] ff. [illegible]
[illegible] [illegible] [illegible] [illegible] ff. [illegible]
[illegible] [illegible] [illegible] debitum compensatione [illegible]
[illegible] compensare non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] potius [illegible]
de [illegible] ff. [illegible] [illegible]
[illegible] et qui compensat [illegible]
[illegible] exceptio [illegible] [illegible] [illegible]
[illegible] [illegible] actor [illegible] [illegible]
[illegible] et in compensatione [illegible] [illegible] potius
[illegible] compensatione [illegible] potius [illegible] [illegible] [illegible]

Debitum [illegible] [illegible] ff. [illegible] [illegible] [illegible] ubi
[illegible] [illegible] [illegible] [illegible] compensatio [illegible]
[illegible] [illegible] [illegible] compensare [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] non
[illegible] compensare ff. [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] compensare debitum
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

Si reus a quo petitur non
exceptionem [illegible] [illegible]
rei cum actore [illegible] actore [illegible] [illegible]
non [illegible] [illegible] exceptio [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] de [illegible] ubi [illegible] [illegible]
[illegible] [illegible] actore [illegible] rei
exceptio et [illegible] replicatio [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
quo [illegible] quo ad [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ut [illegible] de [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quo [illegible]
[illegible] [illegible] [illegible] [illegible] de [illegible]
vel [illegible] quo [illegible] non [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] ut [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible] ad

[illegible] dicti et quod auditores retulerint uno post processu [illegible] ... [illegible]

[illegible]

q(uod) ... de ... [illegible] nec ... [illegible]
q(uod) ubi non intervenit ... [illegible]
et hoc est placuit ... [illegible]
... libere posset ... si ... [illegible]
... [illegible] ... videbat ... et ... videbat
et ... et alio ... credebat ... et
... [illegible] ... et ... repetere
... exceptiones nec credere nec discredere
... [illegible] ... tamen dicunt quod exceptiones
... [illegible] ... opponens exceptionis ... [illegible]
... [illegible] ... de ... [illegible]
credere ... [illegible] ... credere ...
Alii dicunt quod negare ... [illegible]
... [illegible] ... Alii dicunt quod si ...
... [illegible] fatetur si ... non fatetur
ut si petens ... ego dico non ... et
si ... feci pactum de non petendo
et ... [illegible]
... excipiat ... Est quarta opinio quod ...
... est ... nec fatetur nec negat nec
credere nec discredere ... excipiat ... opponens
... [illegible] ... [illegible]
... [illegible] ... [illegible]
... [illegible] ... exceptiones ... [illegible]
... [illegible]
non ... [illegible] nec est ... [illegible]
discredere Alii dicunt quod ... [illegible]
... [illegible]
... [illegible] ... fateri et ...
exceptione ... fateri ut si petens ...
exceptio de pacto de non petendo ...
... fateor ... feci ... pactum
de petendo Alii ... quod non fateretur ...
exceptiones nec credere nec discredere ... [illegible]
... [illegible]
... [illegible] ... opinio ... non ... [illegible]
... [illegible] ... opinio ... [illegible]
exceptione ... [illegible] non ... [illegible]
... [illegible]
... si ... [illegible]
... [illegible]
... [illegible] non ... [illegible]
... [illegible]

... et ... non ... et ... exceptionibus
... [illegible] ... erat ... et ... [illegible]
dicebat ... debebat ... et
... debebat ... [illegible]
... [illegible] ... [illegible]
... inferebat ... [illegible]
dicebat ... invalidi quod non ...
... [illegible] ... et ... dicebat
... [illegible] ... non ... ponerat
dicere quod ... non ... [illegible]
... [illegible] ... non ... negare ... [illegible]
... [illegible] ... testibus quorum ... negare
productis et ... non ... [illegible]
... [illegible] ... productum dicere
quod non ... [illegible] ... non possit ... [illegible]
... [illegible] ... testium ... [illegible]
productorum ... [illegible] ... non possit ...
... [illegible] ... opponere ... [illegible]
et ... [illegible] ... [illegible]
... [illegible] ... [illegible]
et auctoribus ... quos ... aliud ...
... [illegible] ... et ... dicunt
... [illegible] credendum ... [illegible] ... et
... [illegible] ... testibus et ... [illegible]
... et si ... ut eis credatur
... [illegible]
... [illegible]
... [illegible] ... auctores
quod dicunt ... [illegible]
... [illegible] ... in ... [illegible]
non ... [illegible] ... auctores
... [illegible] ... non possunt ... de ... [illegible]
... [illegible] ... auctores
non ... et quos ... [illegible]
... [illegible] ... [illegible]
... [illegible] non solum ... [illegible]
... [illegible] ... [illegible]
... [illegible] ... [illegible]
... [illegible] ... non possit ... [illegible]
... [illegible] si quis ... [illegible]
... [illegible] ... [illegible]
... [illegible] ... [illegible]
... [illegible] ... [illegible]

Ubi autem producentis bene possit preiudicari. Et sic per predicta
[illegible] primo in teste quem quidam tu [illegible]
in modo producis quem primo bene possum [illegible] reprobare
[illegible] Et dicit [illegible] apparet que in uno
[illegible] [illegible] appellatum [illegible]
[illegible] admittatur [illegible]
At potero non [illegible] sequitur [illegible] admittens
[illegible] admittendo. Item si [illegible] que in
uidere que [illegible] et [illegible]
in teste quem primo [illegible] potero [illegible]
[illegible] de testi testionum [illegible] apparet
in uidere [illegible] Item non [illegible] quod si [illegible]
legem male intelliges [illegible]
uel cartam [illegible] in [illegible] producit quod [illegible]
[illegible] non [illegible]
[illegible] ut testionibus et
[illegible] aliquem articulum [illegible]
[illegible] producente [illegible] carta [illegible]
[illegible] producente [illegible]
[illegible] ut [illegible]
[illegible] in iure quedam [illegible]
[illegible] non [illegible] non preiudicat [illegible]
corrige [illegible] et [illegible] errore [illegible] et
quod plus [illegible] si [illegible] non [illegible] uel [illegible]
[illegible] modo tamen [illegible] que [illegible]
[illegible] si quod [illegible] producens [illegible]
[illegible] credat et intendat posse [illegible]
[illegible] eadem [illegible] et [illegible]
[illegible] fuit [illegible]
[illegible] in [illegible] magendo [illegible]
[illegible] confessio [illegible] si [illegible]
[illegible] carta [illegible] credat [illegible]
[illegible] ueritas
[illegible]
[illegible]
[illegible] non [illegible] non preiudicat
[illegible] aliquem appellationem in uno
[illegible] inferri quod [illegible] appellationem [illegible]
[illegible] officia [illegible]
quos [illegible] non erit [illegible]
[illegible] debet [illegible]
[illegible] producens testes non possit reprobare [illegible]
[illegible] bene [illegible]

ut si producens [illegible] in teste quem quedam
[illegible] quem producere [illegible]
[illegible] [illegible] producens in
[illegible] contra [illegible]
[illegible] non [illegible] confessus [illegible]
[illegible] fuit tamen confessus in [illegible]
[illegible] ut [illegible] libe
[illegible] de [illegible]
producens in [illegible] contra [illegible]
[illegible] si tamen [illegible]
[illegible] ut [illegible] contra [illegible]
et [illegible] confessus [illegible] ut [illegible]
[illegible] si [illegible] confessus fuisset
[illegible] Et si formo
[illegible] non [illegible]
[illegible] confessio [illegible]
[illegible] ut [illegible]
quod [illegible] confiteri [illegible]
[illegible] non [illegible]
confiteri. Et ubi formo [illegible]
[illegible] confessio [illegible]
non [illegible] confessio [illegible]
[illegible] si [illegible] ut [illegible]
si [illegible]
[illegible] debitus [illegible] testium [illegible]
[illegible] non [illegible]
non in [illegible] non
[illegible] et tamen [illegible]
In [illegible] in [illegible]
[illegible] ut [illegible]
Et [illegible] et [illegible]
[illegible] confessus [illegible]
[illegible] dixi [illegible]
[illegible]
[illegible] non [illegible]
[illegible] de [illegible]
[illegible] si [illegible]
[illegible] compelletur ferre [illegible]
[illegible] ut si producens in [illegible] et
[illegible] contra testes si
[illegible] debet [illegible]
[illegible] non [illegible]

no q i d spmi the ...

dicer sig faris · d° s° pu ser no stat
i certa q e i quoz a° dr tu t alii
s sp q ler sit miquitas s° pri ho
megari redur t adequitate q
prim delictu pouect · ap adis q pma
bi i certa q no de optiere firmi te
C de sen q pu ter quat q pto d
dt in q no refert ancertu exprimat
i pma an pt relation adarta sit cer
ta ut sit · mo ide s cu si no fiet
relatio adarta · du° apparead i prta
bel pinulegia q pur certa · fit p' pmaz
gratiz offici pt excep fit · op sur
q tus no e n d s fu bel dar reptu°
q illam ut dem fiunt de pla leg g°
l. de tps dz peti s l. qiner anos
q itra illu terminu solu dat ut
i clemencia de aite rest · e° aut pma
lata e p fla i pnia impsto dal et
tur i pperpetuum excipiur q pma n d
unai at si clari ide si ferat p fla
i pnia pouato q reddit i pnia
retroactum C de uisi et sti ig no f
lez de penis i mea aut p fla i
pnia p lata noie quor i tas cs
testes de test coge p uiat quirta
pt agi cui q pouete bel gfite
te et tur s lege pt agi op ad xx
anos C de fisl gresla s anos i
ppetuum xxx q m ete did et a c
m sm durar · pt ets agi cui
s adiquinu illg q p lata e pma q
pduete et ia e p polic p durab
tui quatu alic s les s C op ad xxx
anos · pt ets peti restitu° et hor
dez peti l. quadriennii ut i cle ca
de aite rest pt cu excipi dez e dum
q diuit aliq q excepti pt pere re
pmde pmam excep no e ppetua ut
tixi d e anos exceptio i fo q no
excipietur nisi l. qua° anos alii
tener q i ppetuum ut sit glo et

- ut i c lez de pla · ja dic et q si
fuit i dolo e p quo lata e no pert
excep l. quad° anos q i illa poss
agi cui pstato xxx anos · e i pt age
g° et excepe s si no fuit i dolo no
pt agi cui et pt s sp no durabit
nisi pstato iiii anoz · dno Jo tenz sit
eu glo q p lata pte tp' s spm ·
adite q agedo q pmam possu g sq
duplice effcm unu q absolicio alia
q spi pmam no placeat executios pro
dicatio si° credo q pstato iiii anos
inspira remediu p dicatio s° effcu
credo q i ppetuum durz remediu et
quertat ets an pcra restitucos sf.
de excep l. q agat et sit et sit si
solu bitare exrlude abeffcm pmc
late q eo per' si solu absolui no ob
permictis p bans ptus at ptis ut tur e
op' restitucre et e magn' effcs ·
q no petita restitucre p° ssta
sit actor age et debitu pte p be
ras p'cs per' si cem absoluc' peti
ta restitucre q tur agen obstabit ex
cep absoluuois ste ppe ne ofto sit
mitu cari q si pcto absolo et tu
actio age uici dto q ime excipiat s
i p° effcu no aptatur effcm excipie d'
q expedies absptis q termini limi
tatu s quad° anoz no pt excep° q ex
ueniat q no appor° nisi cu agi a° di
rabit ppetuo et q pmissas hic exppe
diris aliquas glas · Jaufre ai i si g°
glo ui i niere q p excep' lis g respe
q effcm de lis git e ii lis · Jaufre
q pt ulli ldo firas tu s glo si dolus
dat cas gtractu gtractus n' nimo tu
q q gtract' e ualidus exquo q sub
stanciali io dicebat p mei q bre su
substalis equipant gtractui bone fidei

q' opponebatur exceptio [illegible] exceptio [illegible] non [illegible] quia uni satisfiers [illegible] ad [illegible] quos [illegible] dictas non [illegible] et [illegible] accedit [illegible] glo. [illegible]

[illegible] exceptio [illegible] uel [illegible] [illegible] ut [illegible] sue defen[illegible] quas repellit non [illegible] appellantis [illegible] iudicem datum [illegible] ubi quo[illegible] proponere [illegible] repellere abagendo [illegible] affirmator [illegible]

[illegible]

Hec apud non placet [illegible] intelligi [illegible] quorum [illegible] se opposuerint [illegible] ne absolute [illegible] se opponere [illegible] satisfactur [illegible] interrogatione [illegible] illos quos [illegible]

[illegible]

[illegible] solutarii admittitur [illegible] porrigunt libellum [illegible] ratio [illegible] lupus [illegible] tyrannus [illegible] [illegible] maior [illegible]

dispositio [illegible] ubi dicebat exceptionibus solutarias esse reos quod [illegible] non [illegible] excipientes [illegible] repellit [illegible] In [illegible] [illegible] erat necessarii rei [illegible] ipsos [illegible] dicebat [illegible] [illegible] potuerat defendere [illegible] [illegible] necessarii [illegible] difficilius [illegible] lupus loco pastoris [illegible] loco defensoris [illegible] loco [illegible] [illegible] cuculatis [illegible] porrigunt libellum et [illegible] imp[illegible] [illegible] In [illegible] excipiunt [illegible] [illegible] defendentes [illegible] necessarii admittitur [illegible] ad defensam non [illegible] de iure [illegible] [illegible] [illegible] de remedio [illegible] [illegible] appareat [illegible] apparere [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] de rigore [illegible] [illegible] [illegible] opponere solentes [illegible] [illegible] repellent ut solutarii [illegible] [illegible] solutarii [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] defensione [illegible]

ad pugnam et [illegible] defectum [illegible] [illegible] vel [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] de [illegible] de solutariis et [illegible] [illegible] defendere [illegible] [illegible] opponere [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] porrigendo libellum et [illegible] repellere exceptionem [illegible] defensa [illegible] repellere [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] replicationes [illegible] [illegible] [illegible] exceptionibus et [illegible] [illegible] [illegible] tractat [illegible] de [illegible] [illegible] [illegible] replicationes [illegible] et [illegible] [illegible] et replicatione [illegible] replicatione tractat [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] tractat de [illegible]

et ff. de c. solum infra quo dispute ff. le.
an bannitus accusans bannitum quod quis
excipit possit replicare de banno et [illegible]
dicere [illegible] ff. [illegible] quod non
probat ff. hic c. non tractat hic de [illegible]
[illegible] excipiens [illegible]
eo de quo agitur [illegible] accusans
[illegible] quod non fuit
[illegible] ad [illegible] solum
est [illegible]
bannito agere quod bannitum [illegible]
quod excipit et ipse replicat [illegible]
[illegible] quod dispositio bannitum non audiri in
[illegible] credo tamen quantum ad defensam [illegible]
quod hic defensio inducta de iure [illegible] non
[illegible] de re [illegible]
ff. de iusti. et iure [illegible] et [illegible] C.
[illegible]

[illegible] suspensio quod re-
plicatur [illegible]
[illegible] absolutio ad cautelam [illegible]
replicationes et [illegible]
[illegible] exceptionis ad repellendum [illegible]
[illegible]

[illegible]

excommunicatus [illegible] an valeat [illegible] non
et probabiliter credat quod non teneat
[illegible] dimittit [illegible]
et fuit [illegible] absolutio [illegible] non [illegible]
ff. [illegible] confessor [illegible]
[illegible] excommunicatus [illegible] satisfactio
absolutio ad cautelam et [illegible]
[illegible]
fit ad cautelam [illegible] ut [illegible]
quod [illegible] fieri non possit [illegible]
[illegible] fit ad cautelam [illegible]
[illegible]
[illegible] ad cautelam
[illegible]

[illegible]

judex ad quem ... de eo ut male appellatum [illegible] super principali non super accessorio

[illegible] appellationis — extra ii de sindico [illegible] quod non tenuit [illegible] in [illegible] ad eos de ipsa causa [illegible] ubi ad missus — extra iii [illegible] male appellavit quod debuit repelli ab [illegible] solum [illegible] non [illegible] quod [illegible] de [illegible] et non fuit [illegible] ad colorare [illegible] non potuit dicere [illegible] an [illegible] appellationis non fuisset auditus — extra [illegible] quod non [illegible] debuisset retractari [illegible] appellationis de [illegible] in quod si appellant a [illegible] retractari [illegible] appellationi [illegible] retractari est [illegible] appellationis de [illegible] non solum [illegible] appellationis [illegible] non [illegible] sed [illegible] quod [illegible] appellationis [illegible] non [illegible] non solum et [illegible] retractari [illegible] quod [illegible] solum [illegible] male appellatum [illegible] super principali [illegible] accessorium de quo [illegible] [illegible] non solum [illegible] appellationis [illegible] non retractare [illegible] appellationis [illegible] non [illegible] retractatio non [illegible] appellationis [illegible] appellationis [illegible] retractatio [illegible] et ad [illegible] et [illegible]

Ad [illegible] appellationis est [illegible]

[illegible] non [illegible] prima [illegible] appellationis [illegible] in [illegible] [illegible] et [illegible] appellationis [illegible] appellationis [illegible] [illegible] non [illegible] et [illegible] appellationis [illegible] appellationis [illegible] [illegible] appellationis [illegible] non [illegible] et [illegible] [illegible] non [illegible] appellavit et [illegible] appellationis [illegible] appellationis non [illegible] et [illegible] non [illegible] et si [illegible] fidei [illegible] fide et [illegible] fide non [illegible] et [illegible] non [illegible] appellationis non [illegible] et [illegible] appellavit [illegible]

proprie dicitur secundum Jo. an. quod non potest [illegible] appellatio et ad
interim pronunciatio de appellatione hoc [illegible] et non
[illegible] non prosequitur [illegible] novo mandato.
Inglo[illegible] [illegible] [illegible] dominum [illegible] [illegible]
[illegible] quod fuit [illegible] [illegible] glossa quod
[illegible] fuit lata post appellationem quia [illegible]
[illegible] voluit hic fuisse [illegible] et re
[illegible] [illegible] [illegible] [illegible] [illegible]
obtinuit [illegible] [illegible] [illegible] [illegible]
[illegible] vel [illegible] quo vel [illegible]
alias [illegible] [illegible] fuit [illegible] [illegible]
[illegible] [illegible] erat reus. hoc [illegible] [illegible]
[illegible] [illegible] appellationis non fit requisito
ut dixi de [illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] de [illegible] [illegible] [illegible]
[illegible] [illegible] fecit duo quia denegavit
[illegible] et [illegible] [illegible] [illegible] fuit
appellatum [illegible] quo appellatur [illegible]
erat [illegible] [illegible] [illegible] denegatio
erat actor hoc est non [illegible] [illegible] fuit
[illegible] [illegible] actor est [illegible] [illegible]
appellat et prosequitur et hic [illegible] [illegible]
In si an [illegible] [illegible] [illegible] [illegible]
querere est non [illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] et [illegible] [illegible]
[illegible] quia [illegible] se defendit [illegible] [illegible]
[illegible] tamen [illegible] quod actor [illegible]
[illegible] appellat [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] appellationis [illegible]
[illegible] non [illegible] quia [illegible] [illegible]
[illegible] [illegible] si appellat [illegible] non
[illegible] [illegible] appellans [illegible] ne
[illegible] [illegible] quia non cognoscitur [illegible]
[illegible] [illegible] nisi [illegible] [illegible] [illegible]
[illegible] appellatione [illegible] non fit [illegible] [illegible]
[illegible] de appellatione [illegible] [illegible] et [illegible]
[illegible] admittitur [illegible] appellans [illegible]
[illegible] [illegible] [illegible] [illegible] negativa et
hoc [illegible] [illegible] defenderet se [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] restituendi [illegible] [illegible]

[illegible] si petit ut minor ut [illegible] [illegible] [illegible]
non dabitur quia [illegible] non [illegible] [illegible]
[illegible] si petit se restitui [illegible] [illegible]
[illegible] [illegible] [illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] admittitur
[illegible] [illegible] defendat [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ne [illegible] de [illegible]
[illegible] [illegible] quia non possit [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible] si appellat [illegible]
[illegible] [illegible] [illegible] ut dixi de [illegible] [illegible]
[illegible] [illegible] non [illegible] si non appellavit [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] quales [illegible] [illegible]
[illegible] actore [illegible] [illegible]
[illegible] hoc [illegible] et si [illegible] hoc [illegible]
[illegible] [illegible] [illegible] hoc [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible] ut [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] de
[illegible] [illegible] [illegible] [illegible] inter alias
[illegible] [illegible] [illegible] [illegible]
[illegible] appellationis [illegible] ut [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] de quo
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] si reus
est [illegible] [illegible] [illegible] [illegible] [illegible]
hoc [illegible] non [illegible] si [illegible] [illegible] non
[illegible] ut [illegible] [illegible] [illegible] de [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] quod reus [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod actor [illegible] re
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] quod [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et de [illegible] [illegible]
[illegible] [illegible] [illegible] non [illegible]
[illegible] quia [illegible] [illegible] [illegible] est actor non [illegible]
[illegible] admittitur [illegible] ut [illegible] [illegible] [illegible]
[illegible] [illegible] principali [illegible] [illegible] appellat
[illegible] non [illegible] [illegible]

certa tpe A qr oppo[ne] p[re]ui[n]t q[ui]b[us] qi
debebat an exceptio q[ue] oppo[n]itur tollat ac
co[m] adque vel ppetuo q[ui] si adtpo d[e]
dilato[ri]o si ppetuo e p[er]pe[tu]o illud au[tem]
qr dicit glo qr q[ui]o indagans p[ro] e enor
molis no[n] e vex q[ue] ve[r]e inq[ui]al[is] ex
requiro q[ui] q[ui] excipiendo an[te] p[ri]n[cipium] ut no[tatur]
ff eti l. i. Rum de except[ionibus] dubius
glo i l. exceptiones ff eti dicit q[uod] t[em]p[or]e
q[ui] t[em]p[or]e q[ui] l. sufficit ff de q[uo]d i[n]debiti
et i[n]telligit glo q[uo]d in[de]bite q[ui] t[em]p[or]e
q[ui] p[ri]mo p[a]rtis redeat ad exclusion[em] ut dicta
l. sufficit. Certe si no[n] redeat ad exclu
sion[em] ut l. future ff de doli except et
l. si subsidio ff de assig liber
Q[ue]ro dicens de illis q[ue] no[n] appellant.
ubi do qr fecere ... do q[ue] e ...
to... q[uod] ... l. vel ... si ...
ff de q[uo]d i[n]debiti glo ubi te[n]et q[uod] e a
normis. Het no[ta] textu ... q[uod] ...
enormis glo et fuit ... i l. interesse
ff de re iud[icata] te[n]et q[uod] ... dilato[ri]o et ...
... et ... exceptio ... de pl[ur]a
et ... ...
fieri ... et dilato[ri]o ...
de ... l. si defunctus ff de ...
et bono l. ... q[ui] ...
... no[n] p[er]imit q[uod] si ...
more fortuna ... et ...
... dilato[ri]o ... q[ui] ... executio[n]e
... sicut ... q[ue] e.
dubia q[uod] si ... more for
tuna ... de solu
... ... no[n] ...
q[uod] no[n] p[er]imit ... ad
t[em]p[u]s. Q[ue]ro de illa que ... queri
tur ... q[uo]d ... alia ...
est ... q[uod] si ...
solu[n]t tollet ... obligatio ...
met si no[n] ... q[uod] e dila
to[ri]a q[ue] ... ...

q[ue] satisfactio[n]em ... obligatio q[ue] ... no[n]
... ... vigore ... no[n]
... in ... ... differt ...
... ...
... et si ... q[uod] ...
no[n] vigeat ... q[uod] ...
... vigore ... satisfactio[n]e ... Q[ue]ro
de exceptione ... ...
est ... no[n] ... q[uod] no[n]
... ... si no[n] ...
... et ... ...
potest ... testes ... Jo[hannes] ... et
Jo[hannes] an ... l. ... q[uod] no[n] q[uod]
... testes fuerit ...
... instantia q[uod] ... de testi. et
... et ... exceptio
... et alius dilatorio q[uod] ...
... no[n] admittet ut no[tatur]
in de ... ...
... si ... Q[ue]ro de illo
q[ui] obmittit oppone[re] exceptio[n]e ...
q[uod] ... q[ui] ... an ...
... Jo[hannes] ... q[uod] ...
... de eo qui ... et
... ...
... ... exceptio[n]e ... no[tatur]
in de ... ff de ... l.
eo t[em]p[or]e. Q[ue]ro si q[ui]s ... absolu[tionem]
... no[n] absolvendum q[uod]
... manifesta ... petens
absolui replicat ... no[n] ...
q[uod] ... admittetur replicatio
... q[uod] ... glo
i c. ... q[uod]
... no[n] agat ... excipit ...
... ...
... ... q[uod] ...
an ... ... Magis
si ... no[n] q[uod] ...
... exceptio q[ui] ... ...

[illegible]

[illegible]

[illegible]

[illegible]

q debetur recipi ut domus tua det servitute
luminum mee aliis non tollendi ut ff. q. a. in alia
mea pascendi i. pecudo tuo et habent quedam
sunt rustice quedam urbane. Rustice
q dicuntur fundo rustico urbane q dicuntur
urbano sic servitus [illegible] de ab [illegible]
aliud ut sunt servitutes reales q dicuntur a
re rei sunt apposite rei prodeant vel cui
debetur ff. de ser. urb. pre. l. ij. [illegible]
personales sunt q dicuntur ff. eodem modo. cuius
sunt. dicitur l. usufructu. iste servitutes
licet sint personales in se proprie debentur
ut iura realia ut l. usufructu pro alia
personales servitutes sunt tres usufructus et ad
i. plenissima quia totos fructus percipit usufruc-
tuarius ff. de usufruct. l. usufructus [illegible]
i. servitus usus et a non c. iure plena ad hoc
servitus habitationis et ista differt ab usu
fructu quia per diminutionem capitis non amit-
titur ff. de ci. l. habitatio [illegible] differt
habitatio [illegible] quia impetrat quam non [illegible]
absque [illegible] usus impetrat [illegible]
[illegible] habitationis et locare [illegible]
alia non [illegible] ff. de usufruct. l.
antiquitas et ff. de ci. l. certum est et quam
servitutem suorum de qua [illegible] realis
vel personalis quidam [illegible] realis est
personalis non transmittitur in heredem. C. de
[illegible] si fuit l. antiquitas [illegible] si de lega
[illegible] operis transmittitur in heredem ff.
de usufructu legato l. ij. [illegible] dicitur quod
personales servitutes reales sunt [illegible]
ff. de [illegible] l. [illegible] servitus [illegible] extingui-
tur morte sui [illegible] si tenetur
[illegible] transmittitur [illegible]
servitus realis [illegible] creditur quod legatur
[illegible] non est [illegible] servitute [illegible] que
[illegible] modificatio quod [illegible]
[illegible] libero [illegible]
[illegible] servitus [illegible] ff. de [illegible] et de
l. [illegible] et [illegible]

[illegible] ff. de usufructu legato
l. iij et ff. de operis servorum l. i. [illegible] non
sunt servitutes personales [illegible] possunt tamen
[illegible] ut quod liceat [illegible]
[illegible] tamen frumentum [illegible] in
[illegible] ff. de servitutibus l. ut pomum
et l. si quis [illegible] et [illegible] appellat
istas servitutes ff. de alimentis legatis l. [illegible]
[illegible] non obstat [illegible] ut pomum [illegible]
[illegible] quod non [illegible] servitus realis
[illegible] personalis et [illegible]
et [illegible] ut [illegible] de usufructu [illegible]
et [illegible] si [illegible] obligat
non posse agere [illegible] impediente [illegible]
quam obligatum si [illegible] illa servitute
agere [illegible] impediente ff. si servitus
vendicetur l. si quis [illegible] non servitutes
aut reales sunt q dicuntur rei rustice
aut urbane [illegible] aque ductus
ut [illegible] pascendi pecora vel urbane ut luminum
non officiendi altius non tollendi stillicidium
recipiendi [illegible] sunt
reales ut servitus [illegible] et [illegible]
[illegible] personales tamen sunt servitutes
reales q dicuntur [illegible] rei sunt servitutes
[illegible] et [illegible]
[illegible] alia de [illegible]
[illegible] de [illegible]
[illegible] possessio et [illegible] de [illegible]
[illegible] possit possideri
nisi [illegible] possit possideri
[illegible] non [illegible] ff. de [illegible]
[illegible] si [illegible]
sunt iura incorporalia [illegible] possidere
[illegible] magis [illegible] possidens
ut [illegible] creditorum possidere [illegible]
[illegible] ff. de [illegible] l. [illegible] et l.
[illegible] et l. [illegible]
[illegible] incorporalia [illegible] requiratur
[illegible] non ff. [illegible]
[illegible] l. si quis [illegible] non [illegible]
[illegible] et [illegible] res corporalis
[illegible] dominium rei [illegible] servitus
[illegible] non [illegible] dominium [illegible]

vero in servitutibus realibus secus in personalibus
requiritur titulus nec per reddit [illegible]
servitute reales acquiruntur rebus que non
[illegible] titulum [illegible]
[illegible] et titulum [illegible]
non [illegible] iure canonico [illegible]
[illegible] quia si [illegible]
tercio [illegible] et obstat [illegible]
[illegible] requiritur titulus ut ibi [illegible] requiritur
nec bona fides de iure [illegible] dictas quod sit
[illegible] inlibertate prescribenda [illegible]
[illegible] de prescriptione [illegible] liber [illegible]
[illegible] ut [illegible] servitute
[illegible]
[illegible]
[illegible] bona fide [illegible] agit
[illegible] rusticis secus [illegible] non requiritur
quod agit [illegible]
[illegible] de iure prescribende libertatis et [illegible]
[illegible] libertatis [illegible]
[illegible] bona fides [illegible] de prescriptione [illegible] liber
[illegible] de prescribenda libertate
[illegible] de libertate [illegible]
et requiritur bona fides [illegible]
[illegible]
[illegible] non requiritur bona fides [illegible]
[illegible] prescribenda libertate
[illegible] requiritur [illegible] et [illegible]
prescribentis non [illegible] si requiratur
bona fides [illegible] aut non requiritur
[illegible] prescribentis [illegible]
[illegible] et non [illegible]
[illegible] bona fides [illegible]
[illegible] prescribentis [illegible]
[illegible] requiritur bona fides iure canonico [illegible]
[illegible] longi temporis secus [illegible]
longissimi [illegible] bona fides [illegible]
[illegible] de [illegible]
[illegible] prescribens [illegible]
[illegible]
[illegible]
[illegible] bona [illegible]
fides [illegible] corporalibus [illegible]
[illegible] bona fides [illegible]
[illegible] corporalibus [illegible]
[illegible] bona fides [illegible]
[illegible] titulo in corporalibus et [illegible]
incorporalibus [illegible]

[illegible] requiritur [illegible] de servitu-
[illegible] prescribende servitute in rebus [illegible]
[illegible] mala fides aut error in iure [illegible]
[illegible] de [illegible]
[illegible]
[illegible] titulus quo [illegible]
[illegible] bona fides [illegible]
[illegible]
[illegible]
[illegible] bona fide [illegible]
mala [illegible]
titulum [illegible]
[illegible] vel alius [illegible]
[illegible] debebat quo [illegible]
[illegible] quod iure servitutis [illegible]
prescribenda [illegible] libertate [illegible] bona fides
[illegible] libere [illegible]
[illegible] libertas [illegible]
[illegible] allegaris
[illegible]
[illegible] bona fides [illegible]
[illegible] bona fide [illegible]
[illegible]
[illegible] libertas
[illegible]
[illegible] quatuor [illegible] prescribi
servitutes [illegible]
[illegible]
[illegible] et [illegible]
[illegible] aliquos [illegible]
[illegible] non prescribitur [illegible]
[illegible] ut [illegible] duplicem [illegible]
[illegible] prescribende [illegible]
[illegible]
[illegible]
non [illegible]
[illegible] servitutibus
[illegible]
iure civili [illegible] iure canonico non [illegible]
[illegible]
civili servitutis [illegible]

prescribitur sicut x annorum inter presentes et
xx inter absentes C. de servitu. l. 2
ff de servi urb. p. l. foramen ...
aut discontinua sicut cuius contrarium non
potest inveniri ff de aqua cotti. et
estiva l. hoc iure § ductus aque et
hoc ipse in servitute discontinua quod de
rei si aut sit discontinua quod de
ipse tunc certe. Ipse hec sicut x vel
xx annorum aut si certa sicut xxx
annorum C. de lon. tempo. pre. l. si C.
de agri et cen. l. cum satis et C. de
divi. sitam quod res ipse non possidet ipse
aut ipse possidet in auth. de man.
pri. § opz ¶ Quero quod requiratur
in prescribenda servitute glo. in. l. ii C.
de servitu. dicit quod requiritur bona fides hoc
vel iure civili si longo tempore servus si
longissimo C. de prescri. xxx annorum l. sicud
iure canonico dicit vel ipse c. ca. si. ...
requiritur titulus et quod adversario sciente
et sciend. vel ipse § ... qui servitus
ferenda ... adversarii quam servitus
non videtur ... alicuius
tradentis et forma servitutis tunc non
requiritur scientia et titulus sed quod secundum
in prescriptione rerum corporalium in quibus
dicitur ius ... ¶ Item re-
quiritur quod tempus debitum ut longo
vel longissimo § ... possidere
requiritur ... quod ... in tabulis servitus
in realibus ¶ Item inquit ... longum
tempus quod dicitur ius ut si per longum tempus
ubi ... fundum ... sit ... aspectu
ius ut ... non possit repellere
ut sit sufficit ... allegare longum
tempus glo. in l. servitutes ff de servitu.
rem. quod sit et fuit apud ... ta-
men ... in pe... dicitur ut l.
... de ... ff de aqua quo. ...
in prima parte quod ... late ... dicitis

et ita ... ff de aqui.
¶ Sed ... de ... quod
non est ... et ... contracta
in agere ... solvere et si dicat ...
... late tradatur ...
... qui est obligatus ad
tradendum ff de acq. pos. l. fundi
et l. ... et l. etiam pos. in
... et ... ff de ser.
l. qui ... ¶ dicit est
... quod sint aliqui servitutes ...
negativales ut altius non tollendi luminibus
non officiendi sed ... non eligendi
... ut ... ut actus ... tenens
... et ... in ... aliquis de
... ut si ... ego
altius tollere et tu ... et ego
... ab ... in tempore
... quod ad ... servitutis
... requiritur ... si ... contra
... interveniens et ... multis annis
... servitute
altius non tollendi et ... de ...
in alius ... quatenus ... negativas
in affirmativas ... quod ... incipiunt
... tempus ... quo ... possessione
... servitute ... sed
... alterius ... possessionem ...
... licet ... prohibere
... non incipit ... nisi ...
xxx ... quod ... ut ...
... in ... alius
... incipit ... possessionis ut
... incipit
servitutes ... servitus
... solvitur ...
... et ... solvitur ...
... possit interpellare ...
quod ... ad ... non possit ...
... quod non ... ita ...
... quod ... servitutis ...
... si ... interpellato ...
... servitus ... de ...
si ... aliquos ... ut ...

ad molendu(m) ad molendinu(m) q(ui) q(ui)s ve-
nit serre q(uod) no(n) potero, nisi sed
interpellatu(m) fuit et illi a(n)q(ui)euisset
rectio ep(iscop)o q(uod) esset (con)pleta p(re)scrip(tio)

sit a(ute)m no(n) e(st) malus m(odus) [illegible] inter venie(n)-
te(m) (con)scriberent [illegible] dicendo
no(n) [illegible] [illegible]
ure [illegible] no(n) [illegible] q(uod) cu(m) [illegible]
unio [illegible] [illegible] ubi no(n) [illegible] nisi
ure debiti [illegible] [illegible] [illegible]
mi q(ui) [illegible] ep(iscop)e [illegible] ad [illegible]
[illegible] et [illegible] noluit ure [illegible]
me illi de [illegible] [illegible] respo(n)de(n)do q(uod) [illegible]
[illegible] [illegible] interveni(en)t [illegible] si sed no(n)
[illegible] ure et [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible] [illegible]
ret [illegible] [illegible] [illegible] [illegible]
[illegible] ep(iscop)e ad molendinu(m) [illegible] [illegible]
[illegible] et ip(s)e voluit ure [illegible] ip(s)e
no(n) [illegible] nisi [illegible] [illegible] [illegible]
[illegible] [illegible] ep(iscop)e [illegible] [illegible] sit [illegible]
[illegible] [illegible] dr q(uod) in possessorio
[illegible] possessore [illegible] [illegible]
de [illegible] [illegible] [illegible]
[illegible] inter [illegible] reale i(n) quo est
[illegible] [illegible]

- Bi^z virg^ri s leges mulesidri possen
p s^tibu vim alterius dic^t quidam ep^o
in ad^c p carnes pu^t hoc ipso resi^bu

Sed [illegible] confessione dic in novella [illegible] non ob
[illegible] in [illegible] in que [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] 3o
[illegible] [illegible] [illegible] no

[illegible]
[illegible]
[illegible]

Et ii [illegible] cum in [illegible] a [illegible] in materia [illegible] sit hic [illegible] ut dixi [illegible] replicacionem [illegible]

Procuratores que dicuntur legati et nuntius apostolicis preter
hi non petunt [illegible] ubi nolentes
procuratores ponunt et eodem de procuratoribus or-
dinarius a canonicis peteret ut debent de
iure [illegible] ego [illegible] ordinarii vel canonici [illegible]
et [illegible] non credatur [illegible]
[illegible] ordine poterat facultatem ne nimium
[illegible] et [illegible] Non tamen in quo
non [illegible] alii [illegible]
non quod plus [illegible] quam [illegible]
si forte [illegible] istud [illegible]
[illegible] legati [illegible] residui de
clero tenebuntur [illegible] malus [illegible]
forte [illegible] c. ii [illegible]
[illegible] quod alii certa [illegible]
a corpore ut corpus si ad [illegible]
[illegible] corpus tenebitur [illegible]
[illegible] remanent corpus ff de duobus reis
[illegible] et [illegible] creditores et de [illegible]
[illegible] alii [illegible]
de [illegible] et [illegible]
[illegible] remittes [illegible]
[illegible] de capitulo [illegible] et tribuere [illegible]
[illegible] quam [illegible] conservandis [illegible]
allegantes sola [illegible] non [illegible]
[illegible] c. cum [illegible] hic alii [illegible]
[illegible] quod hic non [illegible] sibi latum [illegible]
[illegible] quod [illegible] quod [illegible]
[illegible] legati et [illegible]
[illegible] cum [illegible] quod [illegible] legati
non [illegible] plus quam [illegible] ut [illegible]
[illegible] Aliud [illegible]
[illegible] clerum
ut non [illegible] et [illegible]
intelligunt quod [illegible] textus referatur [illegible]
[illegible] alii intelligunt [illegible] quod [illegible] alios
[illegible] defensio [illegible] legatum non
[illegible] textus [illegible]
[illegible] et [illegible] quod [illegible]
cum [illegible] c. cum [illegible] [illegible]
[illegible] quam [illegible]
cum non [illegible]
[illegible] sed [illegible] mandat
[illegible] corrigi et [illegible] ibi
[illegible] capitulo [illegible]

[illegible] c. [illegible]

et in solet capud fit alius membris
sic [illegible] religiosus ff. de religi. et
sumpt. funer. et truncato capite
frustra se iactat quod cetera membra [illegible]
licet [illegible] offeruit non suffic.

[illegible]

et cetera quod [illegible] solutores dicte
[illegible]

[illegible]

vel possideri

q̄ videt an puberte xx q̄ i textu i aliis
attende q̄ glo est p̄ suppait q̄ p̄banō p̄
scip⁹ dez p̄ˢ possiōz et c. vel vers[illegible]
i sgit an dat p̄ˢ t[illegible] possibō
et vult legiste glo sent signant ff de
vsucapi l. cessus q̄ d̄t q̄ si lō. de actu
i eius sit tēpore nō tuffer[illegible] nō
sufficit p̄ˢ possiōz sit tēpore [illegible]
act⁹ inquo datam tufferat̄ sit tēpore
ut a tēpore non de q sup. c. ii sufficiet

et lex quesitio e de do
vel
p̄ scribens tā nū q̄ptu [illegible] q̄r q̄

q̄ p̄bz ipm singlis momentis i possiōz
sufficit dr̄ q̄ nō i mō sufficiat q̄ p̄bz
ipm q̄ singlis anno p̄cipit fructu
ff de solu. l. tyrea i mō datur aliq q̄
sufficiat p̄ˢ possiōz ex[illegible] tempore q̄
i fert p̄ supi⁹ q̄ est medio tp̄e possidere
deret imo s aliquos sufficit p̄ˢ possiōz
apn⁹ ut et illa p̄pua gemnasse de
quo de resti[illegible] ut c. cassede et c. oli
m. Jte cū [illegible] p̄ di dēs recurre
coro p⁹ hoc de p̄ba licz q̄ de ponit q̄
possidet quadragēta anno et cetera
et [illegible] est de p̄ xl anno et si
de ponit p⁹ licz q̄ nō p̄bat q̄ i tēpore
usq [illegible] d̄pautio tēpus vel q̄ nō p̄bat
p̄scipio p̄ fer[illegible] interrup p̄ lex qst. e
[illegible] s. c. audita
de p̄scip. oē subdum tpo q̄
valeant eccl q̄ q̄p
p̄ q̄ p̄ sōr p̄cessu et q⁹ mogory p̄ de
sese inter[illegible] restitucō hic m p̄cutiō
et ass[illegible] q̄ cessa ibi vers. m̄ ibi quo cū
[illegible] cas dissim dēt p̄s gui⁹ dē i tegz
audita et desc. depuit vore [illegible]
desc q̄r ab. q̄ duxit p̄uilegia est
[illegible] eccle sive i [illegible]
p̄ duos reges nō tn̄ apparebat q̄
vallis de [illegible] eccl [illegible] p̄ alt
p̄t p̄scip⁹ et ep̄s inquibz inter
rup⁹ ido f. [illegible] q̄ [illegible]
replicatoz [illegible] q̄ p̄ vn[illegible] eccle
p̄t agi q̄ possidente et q̄ eccle
Jte q̄ ius eccle i cōrci fundat

[illegible] r s [illegible] vel indicat
[illegible] ii dēn q̄ ep̄s [illegible] i [illegible]

[illegible] restituci i [illegible] p̄ [illegible] [illegible] q̄ [illegible] [illegible] [illegible] ii [illegible] et [illegible]

intencioz c. xx. q. vii. oēs basilice
Jte q̄ inferior ep̄o p̄scribit [illegible]
Jte q̄ m[illegible] [illegible] ordo [illegible]
Jte q̄ i tp̄e cedit p̄scrip⁹ c. illud q̄
[illegible] q̄ ep̄s debuerit agē q̄
eccle nō q̄ alliate q̄ illi dent [illegible]
[illegible] inquibz p̄tendit ius cū
[illegible] sit ius q̄ [illegible] q̄ [illegible] de [illegible]
de actū i q̄m [illegible] ep̄s p̄tendebat ius
i illis eccle q̄ glo d̄t q̄ hic cau
[illegible] q̄ n̄ possidetes ut hic
nō q̄ [illegible] q̄ s. xvi. q. m. iter
[illegible] d̄t supponi agē q̄ eccl sin
vero ut [illegible] q̄ possit q̄ [illegible]
est possidetes q̄ [illegible] [illegible]
subtrahat. Jte et possessi q̄ [illegible]
[illegible] muter annos et vel [illegible]
nō obedit vident possid. q̄ [illegible]
ut q̄ abeis [illegible] ff [illegible]
[illegible] l. i ff si [illegible] vendi [illegible]
q̄ [illegible] [illegible] et [illegible] nō
[illegible] [illegible] sin q̄ aliter [illegible]
q̄ vel eccl possidz [illegible] aliā
vel possidet liber. [illegible] q̄ [illegible]
possidet [illegible] possessa [illegible]
[illegible] [illegible] dicebat hic q̄ possidebat
[illegible] [illegible] eccle q̄ tn̄ eccle
n possidebat [illegible] possidē poterat i
[illegible] q̄ [illegible] [illegible] ius [illegible]
[illegible] ff de [illegible] [illegible] hic cau
et hac cau ad hec [illegible] sit possa
p̄t agi q̄ [illegible] et q̄ possidente
q̄ possidet et q̄ possessi q̄ nō
[illegible] actore [illegible] [illegible]
hec cau [illegible] admittet [illegible]
[illegible] [illegible] [illegible] nō
[illegible] cū sup q̄ nō [illegible]
possessi defende possiōz [illegible]
possessi nō [illegible] [illegible]
[illegible] [illegible] hoc c. de
[illegible] ut q̄ possidet liber. q̄
nō tenet [illegible] ad synodū et i hoc
cau [illegible] possidentes liber. [illegible]

nisi cause sunt ut queri. Item solo quod ad
ecclesias quia que sunt iuris que debent soli episcopo
ut consecrare ecclesias et ordinare clericos
et similia et in istis credo quod pro dicta in hoc
si si non sunt debita episcopo soli iure com-
munis prescribi dictum in quod tur. preterea inter
esse episcopi in ipsi forte interest a redditus
quod eius interest subditos quam laicum
Item si opponis de c. fi. de
prelatos. Et si opponis de c. fi. de
prescriptionibus tempus quod episcopus tamen possessor
ratione non tamen prescribere sunt hoc c. queri
Ut utrumque lucta summa quod tenui prouidet
alii dicunt quod non nisi merum c. pro
in de re iudi. et ff. de re iudi. l. si se
Item ius erit illa adeo primo loco sunt
ratione defensionis alia dicitur quod si agitur
de possessionibus ecclesie primo loco probabit ad
prelatum ecclesie si de subiectione tunc ad
possidentem. In hoc concludit quod vel
possidente et ecclesia possessorum me-
rito sunt mittere et possessores
intuitu dominii et possidentis me
a ecclesiarum subiectionum mentis illis quod
propria ut cuius non preiudicabit alteri
sicut preiudicaret quando non
fieri tamen facere si si agitur
solo et ageri assisterit idem est si querit
Inglo. habet quod dicit. in primis et si
tutores possit presbiteri ad abbates hoc non
fieri de a statute auctoritas remittit tenorem
idem. de officiis cum sint de prebendis
in et si in sacramentis collationem et corporale
habet et retinet in aliorum quorumque dictum
quod dicta causa sunt presbiteri aliquam iura quod episcopi
nisi possideat. ab alio aliquid disponit etiam
ut in sacramentis de pa. fi. et xi. alit. hoc quod
hoc non possit quod suum de ore [illegible] cum
non licet et c. dicendum si in dicto hoc non
es inter quod ecclesias presbiteri alii subsunt sicut
capelle a quibus suis iura presbiter sed in c. cum
ut id apte tenet abbate subditum episcopo
presbiteri et capellis de iure spirituali et hoc
dicitur si capelle non subsunt alteri sunt tamen
ecclesiam presbiteri esse quod sunt possidet sicut quando
tam decimas mortuaria et similia etc
extra prima si non tamen quoteritur ab. vel

capelle presbiteri obedientiam vel visitationem nomine
ipso quod in secundo ipse ecclesia presbiteri nisi ut
de iure si sibi obediat in vel spoliat hoc quod
hoc. c. quod non dicitur quod hoc in pretermissum fuit
possessionem abbatis si ipsa liberum quod enim non
possit ut tangit glo. Inglo. si c. quod
in fi. de aliter quod dicit dependere in
plura et tangit de ipso sollicitudine de
aliter privilegium et prescriptionem dicta sunt c. ubi
enim Inglo. vel in fi. quod hoc solent dicere
Jo. quoque hoc locatur tibi equum ut ires
Florentia qui mortuus est pecto sententia
tu dicis quod mortuus est propter culpam tuam et
probas quod equum quem equitabas mortuus
est non relevatur te hoc primo quod non quod quod
fuit ille quod locauit. Inglo. si quod in fi.
dicitur quod si loquitur de iuribus incorporalibus
et generaliter dispositio eius amplectitur
aliud ita loquitur quam si sunt duplicia
et separata dispositio eius non amplectitur
ad meliore vel quam quod ut hoc. Item
quod ius tale fundat intentionem episcopi quo
relevatur ab honere probandi interruptionem et
si abbas probat prescriptionem in aliquibus et episcopus
probat quod exercuit eadem quo eodem tempore te-
nens parciter prescribere potest episcopi tamen quod
ius tale fundat intentionem sicut xvi. q.
viii decet baptizare et q. i. per totum tamen quod
dicitur descriptionem de testibus et iure si si in
ferior episcopo probabit quod prescripsit causa
iura spiritualia tamen sufficit hoc quod probando in
episcopi quantum ad probandum interruptionem et
tunc si probabit interruptionem in aliquibus actibus
alius aptissime ad est contra cautela
aduocatorum episcopi quod si velit inferior probare
prescriptionem quod episcopi studeat explicari
iura que dicit se prescripsisse. Item
glo. ille in fi. apparet in aduersus quod abbas
proriter exercere iura spiritualia et presbiteri
et moris non preiudicare episcopo quod hec
iura sunt esse penes diversos
Item dicit in quod si episcopus et exercens actus
dicit quod in nisi solus abbas exercuit
et prescripsit hoc preiudicat episcopo ut ab.
exercens illa iura solus presbiter

no soli [illegible] q̄ dies currit [illegible]
uel alii [illegible] q̄ [illegible] plus ut hic
d. est [illegible] q̄ [illegible] aliq̄ [illegible] maliciis
[illegible] quali[illegible] et [illegible]
et quo iure [illegible] de elec[tione] [illegible]
et [illegible] et de off[icio] [illegible] quatu-
or [illegible] si dies [illegible] anna quadri[illegible]
[illegible] aliq̄ dicut q̄ i p[rim]o anno currit [illegible]
obligatio [illegible] q̄ [illegible] anno q̄ [illegible]
ter[tio] q̄ tertium [illegible] et [illegible] dicitur [illegible]
[illegible] quando obligatio oritur [illegible]
[illegible] annus legatus moderni tenent [illegible]
[illegible] l. cu[m] [illegible] q̄ [illegible] debitu[m]
i die no[n] currit [illegible] adueniente
die [illegible] male agitur ff. q̄n dies
[illegible] cedunt l. i. et l. de cedere
ff. de uer[borum] sig[nificatione] [illegible] lapsu [illegible]
[illegible] q̄ de [illegible] no[n] [illegible] mora q̄
[illegible] q̄ [illegible] obligatio [illegible] [illegible]
[illegible] debitu[m] ordina[illegible]
[illegible] p[ro] [illegible] no[n] [illegible]
narrat [illegible] [illegible] potente
[illegible] [illegible] decemi [illegible]
[illegible] forte [illegible] [illegible] et
[illegible] erat [illegible] et [illegible] plur[illegible]
[illegible] dicit q̄ fulmina[illegible] archiep[iscop]us
est hic dicit [illegible] et no[n]
[illegible] q̄ [illegible] fuit delatu[m] [illegible] forte [illegible]
[illegible] appellauerunt [illegible]
[illegible] et [illegible] [illegible] q̄ [illegible]
[illegible] p[rim]o [illegible] p[ro] [illegible] debito
[illegible] q̄ archiep[iscop]us [illegible] p[ri]m[o]
[illegible] decemi [illegible] [illegible] q̄ [illegible]
no[n] [illegible] [illegible] q̄ [illegible]
[illegible] q̄ [illegible] [illegible] [illegible]
[illegible] [illegible] q̄ [illegible]
[illegible] et [illegible] de [illegible]
[illegible] [illegible]
[illegible] q̄ [illegible] q̄ [illegible]
[illegible] uel [illegible] cu[m] et [illegible]
[illegible] q̄ a [illegible] no[n] [illegible]
[illegible] [illegible] si iure [illegible] de [illegible]
no[n] [illegible] [illegible] [illegible]

[illegible] [illegible] alia [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] auct[oritat]e [illegible] q̄ [illegible]
[illegible] q̄ si [illegible] ordinariu[m] [illegible]
[illegible] [illegible] auct[oritat]e [illegible] q̄ de [illegible] nisi
de [illegible] [illegible] [illegible] ubi [illegible]
auct[oritat]e ordinaria [illegible] [illegible]
[illegible] si delegaret [illegible] de qua
[illegible] no[n] poss[et] cognoscere no[n] [illegible] nisi
forte [illegible] [illegible] cu[m] [illegible]
[illegible] [illegible] q̄ si [illegible]
[illegible] [illegible] auct[oritat]e et appellat[ur] appel[latio]
[illegible] [illegible] [illegible] de off[icio]
del[egati] si duo [illegible] [illegible] alterum [illegible]
et [illegible] [illegible] auct[oritat]e et [illegible]
alia q̄ [illegible] [illegible] [illegible]
[illegible] [illegible] elige[re] qua auct[oritat]e [illegible]
[illegible] q̄ no[n] [illegible] [illegible] elige[re]
q̄ [illegible] altera [illegible] [illegible] et [illegible]
[illegible] de off[icio] del[egati] [illegible] [illegible]
[illegible] [illegible] et [illegible] altera de
[illegible] [illegible] et [illegible] [illegible]
[illegible] q̄ si quis credit se
[illegible] [illegible] et no[n] [illegible]
[illegible] q̄ [illegible] [illegible] illam
q̄ no[n] [illegible] q̄ [illegible] i [illegible]
q̄ [illegible] si [illegible] q̄ no[n] [illegible]
[illegible] [illegible] q̄ [illegible]
[illegible] no[n] [illegible] [illegible]
q̄ [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
auct[oritat]e [illegible] et errores [illegible]
[illegible] debet [illegible] de i[n]iuriis
[illegible] [illegible] [illegible] [illegible] error [illegible]
no[n] [illegible] impedire [illegible] [illegible]
[illegible] [illegible] [illegible] aliq̄ dicut
[illegible] [illegible] [illegible] q̄ [illegible]
no[n] [illegible] de off[icio] del[egati] [illegible] de [illegible]
[illegible] [illegible] si [illegible] [illegible]
[illegible] ff. de i[n]iuriis q̄ [illegible]
[illegible] [illegible] [illegible] [illegible]
delegatu[m] qua[m] [illegible] [illegible]
[illegible] no[n] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

vel p(ri)uilegii ff. de re iudi. l. cu(m)
p(ro)bat(ur) glo. tu (contr)a (con)tra q(ui)b(us) (con)tra q(uo)d
nil. sed (con)tra (con)sensu(m) sicud error
ff. de iurisd. om(n)i iudi. l. si p(er) errore(m)
si ipse erat alias c(ompe)tens s(u)p(er) de of.
del. c. ex adq(ui)r(en)t q(uod) h(abe)t a(n)i. l(ibr)o c. d(omi)n(u)s
et imp(er)ator (con)t(ra) d(omi)n(u)s q(uod) ex(pre)ss(e) h(abe)t
d(icitu)r no(n) e(st) d(icen)d(u)m q(uod) s(ecundu)m exa(m)i(n)a q(uo)d q(ui)
no(n) p(otes)t et no(n) q(uod) q(uod) credit (con)tra no(n)
tu (con)p(re)ssus ut s(ecundu)m vigore ordinarie
no(n) poterat et credebat se delegatu(m)
et no(n) erat s(ecundu)m s(i) poruisse vigore ordinarie
et no(n) erat s(ecundu)m s(i) e(st) delegatu(s) p(er) rogat(us)
fuit eadem q(uod) s(i) e(st) delegatus ad alia(m)
bibe(n)s ut s(ci)e(n)t delegatus auctoritas
et p(otes)t (con)t(ra) p(ro)rogari s(ed) s(i) no(n) e(st) p(er)
rogat(us) s(ed) p(er) q(uo)d et s(ecundu)m glo. no(n) (con)tra q(uod)
desit fu(n)da(men)tu(m) s(ed) dices no(n) desicit
q(uod) alias h(abe)t et no(n) p(ro)cedit a(lia) q(uod) a(lia)
p(otes)t. c. i(n) eius p(ro)te eligere s(ecundu)m q(uod)
velit p(ro)c(ede)re et s(i) vna eligit s(ecundu)m illa(m)
p(ro)cedet ut g(ener)o h(abe)t eligit et no(n)
p(ro)cedet et b(e)n(e) erravit
s(ecundu)m n(on) erit (con)p(re)ssus et b(e)n(e) erravit
i(n) s(ecundu)a et no(n) est in veritat(e) h(abe)t
o(ste)nd(it) no(n) resp(on)d(e)o fori dicit(ur)
p(ro)cessus q(uo)s vna (contra) q(ui)d s(i) delegat(us)
o(r)dinari(us) audiat i(n) g(ene)r(e) et p(ro)cedit
del. q(ui)b(us) (con)p(ro)nitentib(us) an valeat p(ro)
cessus glo. q(uod) valeat vigore p(ro)
rogatois s(ecundu)m c. (contra) delegatus alias l.
a. C. de iurisd. om(n)i iudi. (contra) q(uo)d.
delegat(us) q(uo)d a. no(n) v(alet) p(ro)c(essu)s delegat(us)
effic(itur) maior v(alet) valebit p(ro)cessus
g(ener)o q(uod) p(otes)t ut (contra) ut l. observare
ff. de of. p(ro)(con)s(ulis) q(ui) respo(n)dit et p(ro)
p(ro)p(ter) q(uod) q(uod) i(m)p(er)ator no(n) s(i)t p(ro)rogato
p(ro)p(ter) q(uod) q(uod) i(m)p(er)ator no(n) s(i)t ut d(ici)t q(uod) h(abe)t c.
et h(abe)t s(ecundu)m p(re)cepit ut d(ici)t q(uod) h(abe)t c.
p(ro)sit i(n) actus nec p(ro)c(ed)i(t) no(n) p(otes)t
et eis a(lia) q(uo)d d(e)cedi C. de pen. c(ontra) p(ar)i
ratione l. ij de re. iudi. c. si lib(er)
s(ecundu)m est respo(n)d(e)at q(uod) (contra) observare (contra)
h(abe)t imp(er)ato(r) erat iudicatu(m).

ut potest q(uod) l(ibe)r (contra)t(ra) no(n) h(ab)et erat
cu(m) alios ut i. l. observare ff. de pig.
acti. l. si re(m) q(uod) s(ecundu)m ff. ad trebel. l. s(ed) et
s(i) inducit s(ed) d(ici)t q(uod) no(tandum) ff. de
re iudi. l. si a(c)tio s(ecundu)m m(od)um n(ost)ro
delegato n(ost)ro habebat q(uo)d iudi(cis) t(ra)nsfert
q(uod) g(ener)o a(c)tio no(n) tenuit t(ra)ct(at)u(m) eius
q(uod) q(uo)d (con)qualesq(ue) dicit audit et r(espo)n(dit) q(uod)
no(n) qualesq(ue) dicit audit et r. q(uod)
a(c)tio l(ibr)o c. q(ui)d s(i) archiep(iscop)us
declaraverit s(ecundu)m m(od)um fuit ductus et
noluisse eu(m) recipe no(n) potuisse ipsos
p(ro)nuere s(ed) ep(iscop)o s(ecundu)m q(uod) archiep(iscop)o no(n) q(uod)
imp(er)ato(r) nisi merit(i)s ex(pre)ssis de of.
or. p(ro)p(ter) q(ui)d s(i) visitatio de
ex(pre)ssione vel ex(pre)ss(i)o d(e) q(uo)d q(uod) s(ibi)
potest p(ro)cur(ati)o d(ici)t(ur) aliq(uod) q(uod) s(i)t q(uod)
(contra) no(n) e(st) a(n)i(m)a visitatio(n)i s(ecundu)m glo. et
no(tandum) s(ecundu)m an i(n) r(espo)n(sion)e glo(ss)a i(n) c. In b(e)n(e) s(ecundu)m
q(uod) q(uod) r(ati)o(n)e visitatoris d(ebetu)r et e(st) accessio
et q(uod) c(ausa)e r(ati)o(n)e no(n) d(ebetu)r recepi duplici
u(e)re debeti c(ausa) i(n) t(ot)a et q(uod) q(uod) p(ro)c(ur)atio(n)em
visitatio(n)is r(ati)o(n)e p(ro)cur(ati)o no(tandum) s(ecundu)m o. c.
visitatoris r(ati)o(n)e q(uod) i(n) n(on) ibi q(uod) n(on)
(contra) v(el) q(uod) s(i)t q(uod) s(ibi) q(uod) n(on)
p(ro)c(ur)a(ti)o d(ebetu)r certu(m) q(uo)d et moderari
arch(iepiscopi) no(tandum) q(uod) s(i)t decet s(ecundu)m. fi. i(n) c.
i(n) de c(on)s(uetudine) vel de mo(do) l(ibr)o l. et g(e)n(er)ali
p(ro)p(ter) i(n) c. i. de c(e)n(su)s q(ua)m no(tandum) arch(iepiscopi) x.
q. a. relatu(m) et s(ecundu)m c. i(n) ti. de c(e)n(su)s c.
fi. et h(abe)t c(ontra) q(uo)d e(st) c(on)tra ubi fori
l(ibr)o moderatu(m) q(uod) s(cri)p(tu)r(a) r(e)tra(h)i p(ro)
l(ibr)o a visitatio(n)e a(lia) p(ro)cedere p(ro)
op(ini)o de c(e)n(su)s f(e)lix l(ibr)o et h(abe)t c(ontra)
d(omi)n(u)s m. i(n) c. a. q(uod) alia ubi no(tandum)
no(n) vale(n)t p(ro)c(ur)a(ti)o q(uod) no(n) soluat(ur) to(tum)
s(ed) q(uo)t(a) videt(ur) qu(a)n(tu)m a(d) mo(dum) p(ro)
cura(n)di et numer(us) p(ro)c(ur)ator(um)
et f(ec)it eva(n)gelis v(er)dicti q(uod) i(n) capit(u)lo
s(ecundu)m alios q(ui)d s(i) p(ro)c(ur)atio cu(m) dem(or)i
no(n) (con)petere visitare s(ecundu)m visitare q(uod)
s(ecundu)m et no(n) q(uod) aliu(m) modo in q(ui)b(us) vult
visitare q(uod) aliu(m) off(ici)a q(uod) no(n) p(otes)t
q(uod) aliu(m) nec q(uod) tene(tu)r eu(m) re
cip(er)e eu(m) n(on) s(i)t (con)s(u)etu(m) v(e)l (con)s(ue)t(u)m
d(ebe)re (con)cedi q(uod) no(n) q(uod) de of.
arch(iepiscopi) i(n) dil(ect)o a(n)i(m)e magn(us) glo(ssa)

Col. qui retinet quod habet quod sunt
in cancellaria et dicit terminatum
contra id fecit non sic quia ibi sit scripto
pro de loco adlatum non datum addicti
¶ Item in fenore epo sit benedi
care sibi bis pstaram in monasterio dicit
quod hoc de eius archi dicto est in
parcialibus quaestionalibus cum sub sit
eadem ratio ¶ Item si monasterium
ipsum habet opus sic quod hoc causa archi
bus bis pstaram ¶ Item si prius archi
tunc colli consuetudine ipsa extra de. dicto per
illi sed quod sit quod consuetudine inducit. quo
circa tolletur. ¶ Angelus ibi relatum
dicit hostiensis ut extra de. decimis c. felici et cetera
Et in fi. Cum dicit prima pte beni
nisi quod bene fiat responsio vel q. iij
contra vel nisi patrono et si dicitur
quod sit prescribet obedientiam et cetera
prescriptione notatur solet persequi
patro praeco cum remouens ¶ Solo quod
probet quod ipse aliud epo non bisptit sit
prouincia tenetur in eunte prescribet alio
operatur et ideo quod recipiendo non
sendit quo circa ius debet bispsit et
non prouincia tenetur dicit quod si bispsit
minus eum predit opus glosa si bisp
tibi quod prescribet tenetur predit opus
quia sic c. si diligenti cum

¶ Rum alio nomine possidet
non prescribet n. ex quo
sic nisi bona fide et titulum iustum
ondat sic patet omnia res quod. archiepiscopum
pisanum sic respondebat extra psalmos
qui ibi non et de eadem in
c. de unus non eare ipsa rite diuersis
quod veri ptes aduersarium sed dum
et cesslia et ro. lex quod hec cautiones
ex. extra di in palea consensus bonum
di ego locomoti supplicat sum eius
do subiuncta et munire per eam si
eccla ro. etc. in c. de unus non ego
n. eccl etc. ipse prescribebat in alios
ferens ut no. sic cum non licet

bona fides sola ubi non est non requiritur
ad prescribendum ut c. c. in libro statutum ut qui
nomine suo possedisset et bona fide ¶ Non
quod eadem simile recipit terra et hoc quod
prescribens est c. cum non licet item quod consensus
in udices hoc ¶ quarto de consensu c.
sic item qui alieno nomine possidet non
sibi sed alteri possidet contra legem item quod
sine possessione prescriptio non procedit ex de usu
l. sine possessione et c. sine possessione in c. item
quod in quibus prescriptio requiritur bona fides
ut de. c. vigilanti item quod habitum quod
non licet relinquere item quod
ad prescriptionem requiritur titulus et cetera cum glosa
Iudicii titulus ubi requiritur et in prescripti... et cetera
nullus maior possessorum requiritur bona fides
uel notis sic de. c. de quibus reciprocando
opinio glosa in l. i. c. ii ff. de itinere
actum quod preclusio quod tamen ut notum est
de quibus dicitur tamen quod quod praedictum
tale tempus prescribitur bona fides retenta
in est opiniones modernorum reprobantur
dicentium et dedi modum potest quod sufficit
quod probet se recepisse ab illo quem crede
bat dominum et requiritur quod probet se credidisse
eum dominum et esse nomine proprio titulo de
corpore dicit aliquis quod non prescribit bona fides
quod in prescriptione de. vel. quod duo requiruntur
titulus quod si probet bona fides et non quod quod
quod sit non. et sunt credere de adultis
tunc c. vel c. l. c. quod prohibetur ipse autem contra
opinionem glosarum quod solum prescribit bonam
fidem et bi. habet opus reperi c. de elig.
l. pl. dicit ergo quod si constat de titulo vero
prescribit bona fides idem si possidet titulo
putativo et erroneo sed ut l. igitur
in pr. ff. de libera causa ¶ Item si quis si
dicit sine titulo tenetur aut requiritur aut requiritur
tamen antiquior possessor et non
sufficit bona fides arg. c. vel bi. l.
quod prohibetur et hoc in c. nisi non
fuisse creditum quod ille possessore anti
quiore aliquid non requiritur antiquior
possessor et tenetur ad simile bona fide quod
prescribit ignorantia et ignorantiis non est
mala fidei possessor et religiosi
sunt consentire ¶ Item ubi quia lege
maxime quod sunt et ipsi contraria

dum mictit agens in possessionem sui et
eo quod decreto tuo contrarie [illegible] et
ubi tollit [illegible] requirit titulo
[illegible] glosa [illegible] in [illegible] exceptione [illegible] glo:
[illegible] c. i. [illegible] et quod ibi no. in
mag. glo ubi [illegible] opiniones [illegible]
quorundam doctorum ubi [illegible] quod [illegible]
repugnat [illegible] requiritur [illegible]
et bona fides nisi [illegible] [illegible]
cum [illegible] [illegible] non [illegible] et
sufficit bona fides solum in [illegible]
re una [illegible] in [illegible] alterius et
in [illegible] [illegible] [illegible] et
[illegible] in corporibus [illegible] quod [illegible] in
[illegible] [illegible] dic quod in illo re
obligatione [illegible] [illegible] [illegible]
quorum [illegible] titulo quod [illegible]
[illegible] quod non [illegible] quod quis obligetur
[illegible] et quod [illegible] [illegible]
[illegible] de [illegible] [illegible] de [illegible]
quod non [illegible] [illegible] et quod [illegible]
quod [illegible] [illegible] privilegiati
[illegible] [illegible] bona fide quod [illegible]
[illegible] [illegible] privilegia [illegible]
in [illegible] [illegible] obligat [illegible]
non [illegible] [illegible]
[illegible] [illegible] ut [illegible]
quod [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible]
[illegible] ut [illegible] c. [illegible]

[illegible] in capellas [illegible]
[illegible] [illegible] [illegible]

In quo [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
et [illegible] quod [illegible] quantum ad [illegible]
[illegible] [illegible] quantum [illegible]
[illegible] quos [illegible] [illegible]
[illegible] [illegible] [illegible]
privilegiati ut [illegible] et [illegible]
a quo episcopo maluerint [illegible]

de [illegible] et re [illegible] in [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] non [illegible]
c. [illegible] et [illegible] quod non de [illegible] c. [illegible]
in [illegible] in quibus non [illegible] [illegible]
ut [illegible] privilegium [illegible] [illegible]
[illegible] [illegible] de [illegible] non [illegible]
[illegible] aliquos [illegible] exceptus et
non [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] liber [illegible] [illegible]
[illegible] in alias [illegible] [illegible]
[illegible] quod non [illegible]
[illegible] [illegible] de [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] quod non [illegible]
[illegible] [illegible] de [illegible]
[illegible] [illegible] [illegible]
de [illegible] [illegible] et [illegible] non [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
quod ipsi [illegible] [illegible]
quod [illegible] in [illegible] et [illegible]
quorum [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] quod [illegible]
[illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible]
[illegible] liberi
[illegible] in quibus non [illegible]
[illegible] [illegible] quod [illegible]
[illegible] [illegible] non [illegible]
[illegible] [illegible] [illegible]
in [illegible] [illegible] de [illegible]
[illegible] et quod ibi no. [illegible]
[illegible] de [illegible] [illegible]
[illegible] de [illegible] [illegible]
[illegible] de [illegible] [illegible]
[illegible] [illegible] [illegible]
et [illegible] [illegible] et [illegible]
[illegible] de [illegible] [illegible] et c.

aic[illegible] [illegible] ei qe aut [illegible] [illegible]
arbitrii et e secum [illegible] [illegible]
arbitrium recedi si [illegible] no potuit
sentbe qr q malā fide dr q de
ipsis [illegible] [illegible] nō fiebat mi[illegible]
i [illegible] at nō bn possessor euade
[illegible] [illegible] cc sm glo et
[illegible] te [illegible] videas [illegible] [illegible]
[illegible] [illegible]
[illegible] q [illegible] impetrat
et [illegible] [illegible] [illegible] s[illegible]
[illegible] nō erat [illegible] mala[illegible] fide
[illegible] et [illegible] nō [illegible] [illegible] [illegible]
ab[illegible] [illegible] requiro [illegible] [illegible]
[illegible] dixit [illegible] crisma et [illegible]
[illegible] dicit i [illegible] [illegible]
[illegible] petebat ec[illegible] [illegible] sibi
liber[illegible] [illegible] [illegible] [illegible]
[illegible] decimas [illegible] i. de deci.
[illegible] vel dr q petebat quartā
decimā crisma decime [illegible]
[illegible] xx di [illegible] crisma [illegible]
[illegible] [illegible] privilegiu
vel [illegible] large [illegible] ut e[illegible]
[illegible] [illegible] [illegible] di i
[illegible] et si [illegible] [illegible]
defuerit et [illegible] i [illegible] [illegible]
[illegible] c. [illegible] et i. c. [illegible] [illegible]
[illegible] [illegible] i [illegible]
i [illegible] sibi [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] male fidei [illegible]
nō [illegible] de [illegible] [illegible]
q [illegible] agebat [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] et [illegible]
i [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] nō [illegible] [illegible] abe
[illegible] [illegible] de [illegible] [illegible]
male [illegible] [illegible] [illegible]
ab [illegible] q mandatum [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
fuit [illegible] [illegible] [illegible] [illegible]
[illegible] fuerit [illegible] privilegia

[illegible] volebant q reciperent [illegible] de
quibus [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et i [illegible]
[illegible] [illegible] [illegible] dare volebat
[illegible] reciperet [illegible] mala [illegible]
et [illegible] fuerit privilegia
[illegible] et [illegible] [illegible] nō [illegible]
privilegium [illegible] i eo nō [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] privilegiu [illegible]
[illegible] [illegible] privilegium
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] privilegium [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] de [illegible]
[illegible] [illegible] i [illegible] i [illegible]
[illegible] nō [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] privilegium
[illegible] et [illegible] nō debuit
[illegible] [illegible] [illegible] q nō valuit privilegium
[illegible] nō [illegible] [illegible] ali q [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] nō [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] i primo
[illegible] [illegible] [illegible] [illegible]
et c. i. de [illegible] i [illegible] vel dr
q [illegible] nō valuit [illegible] [illegible]
privilegium [illegible] q si [illegible]
[illegible] nō dedisset et [illegible] [illegible] de
deci c. [illegible] i [illegible] vel dr [illegible]
[illegible] privilegium [illegible] tertias
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
privilegium [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] nō [illegible] privilegium [illegible]
[illegible] [illegible] de [illegible] [illegible] [illegible]
[illegible] q si [illegible] [illegible] nō [illegible]
[illegible] dedisset [illegible] [illegible] [illegible] [illegible]
[illegible] vel [illegible] [illegible] [illegible]
[illegible] i [illegible] [illegible] [illegible] de deci i [illegible]

petit me exceptio[nem] incidit dispensacio q
qui resignatos dyn[?] q[uod] sit et e[st] [illegible]
et [illegible] de ex tag[?] [illegible] q[uod] p[ro]pon
modo [illegible] mutue [illegible]
[illegible] darent [illegible] [illegible] [illegible] q[uod] sit a
[illegible]

Quidd[?] q[uod] si ago [illegible] [illegible] et succubui
et [illegible] [illegible] agere [illegible] [illegible]
me no[n] potes et [illegible] q[uod] [illegible] [illegible]
cu[m] [illegible] [illegible] si succubuisti no[n]
potes recurre[re] ad [illegible] [illegible] [illegible]
[illegible] Inglo[?] [illegible] dic q[uod] [illegible] [illegible]
[illegible] et legatus [illegible] [illegible] [illegible] dic q[uod]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] dic q[uod] [illegible] no[n] [illegible] [illegible]
p[ri]vileg[ium] Inglo no[n] [illegible] dic q[uod] alii
[illegible] [illegible] [illegible] p[ri]vileg[ium] et tu[n]c aut p[ri]vilegiu[m]
[illegible] aut minus [illegible] [illegible]
[illegible] [illegible] no[n] [illegible] [illegible] p[ri]vileg[ium]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] p[ri]vilegio [illegible] [illegible] [illegible]
[illegible] p[ri]vilegiu[m] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible] ut [illegible]
[illegible] [illegible] [illegible] et [illegible] [illegible]
ut [illegible] et [illegible] [illegible] [illegible]
p[ri]vilegiu[m] et tu[n]c si p[ri]vilegiu[m] [illegible] [illegible]
[illegible] [illegible] [illegible] q[uod] [illegible] no[n] [illegible]
[illegible] q[uod] [illegible] [illegible] [illegible] no[n] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible]
[illegible] p[ri]vileg[ium] ut ibi [illegible] [illegible]

[illegible] [illegible]

et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
ubi [illegible] [illegible] [illegible] [illegible] ubi [illegible]
[illegible] [illegible] ubi [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] Inglo [illegible] ubi
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
no[n] possent [illegible] [illegible] [illegible] Inglo
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

Evidentia eius [illegible] q. i. c. ¶ Item prescriptio
di. 10 [illegible] q. iii in fi. [illegible] exceptio [illegible]
in purgatione [illegible] xxii q. iii in fi. et quia
dicitur exceptio [illegible] fideiussoribus [illegible] ff. [illegible]
quia in purgatione exceptio non [illegible] ut [illegible]
debitis [illegible] Et attende quod [illegible] de [illegible]
non [illegible] sicut dicunt [illegible] de [illegible]
et in [illegible] de ff. et [illegible] quod [illegible] c. [illegible]
[illegible] magister [illegible] de [illegible]
[illegible] in purgatione [illegible] legum [illegible]
capitulo fine [illegible] et penam negligentie
in ponendo et [illegible] consuetudines et hic
[illegible] ¶ Item [illegible] quod sunt [illegible]
prescriptionis [illegible] quod [illegible] mero fauore
ut [illegible] quod requiritur bona fides
et titulus et [illegible] dominium [illegible] ¶ Item
[illegible] odium ut in
prescriptione male fidei et [illegible] xxx [illegible]
xl annorum [illegible] inducta [illegible] in odium non
petentium et negligentium ¶ Item [illegible]
[illegible] fauore
ut in prescriptione xl annorum [illegible] bona fide [illegible]
in fauore [illegible] bone fidei [illegible] et odium
[illegible] non petentibus [illegible] et [illegible]
[illegible] ut x vel xx [illegible]
[illegible]
[illegible] quod [illegible]
ut l. emilius ff. de minoribus [illegible] legalis
et [illegible] lege municipali
de [illegible] consuetudine
l. [illegible] ut [illegible] titulum ¶ Item
[illegible] requiratur in prescriptione [illegible] quod
[illegible] corporalibus sufficit bona
fides [illegible] realibus [illegible]
[illegible] titulus ff. [illegible]
[illegible] requiritur titulus
in rebus prescribendis requiritur titulus
[illegible] x vel xx annorum ut l. [illegible] C. de
[illegible] longi temporis prescriptione [illegible] non tamen
[illegible] prescribenda [illegible] quantum
in prescribenda [illegible] x vel xl
annorum non requiritur titulus in [illegible]
bona fides [illegible] legem [illegible]

[illegible] minor [illegible] ut de
de quarta [illegible] minor [illegible]
[illegible] ad audientiam et ubi
[illegible] prescriptio [illegible] non
[illegible] prescriptio [illegible] titulus nisi [illegible]
[illegible] non [illegible]
[illegible] sufficit bona fides et [illegible]
[illegible] ¶ Item [illegible] titulus requiritur
[illegible] traditione
[illegible] dominium ff. de [illegible]
requirit [illegible] possessio et [illegible]
et [illegible] et modum [illegible]
[illegible] bona fides [illegible]
[illegible] de quarta et [illegible] et quo [illegible]
[illegible] prescriptio [illegible] articulari [illegible]
prescripserit [illegible] testes non possunt [illegible]
deponere [illegible] ¶ Item [illegible]
[illegible] prescriptionis [illegible] dicitur quod [illegible]
[illegible] dominium ut [illegible]
[illegible] annorum et [illegible] aliquos
[illegible] annorum
[illegible] et [illegible]
[illegible] alios [illegible]
ff. [illegible] dicitur quod [illegible]
[illegible] dominium [illegible] et [illegible]
[illegible] alius [illegible]
[illegible] et [illegible]
[illegible] prescribitur [illegible] dominium
[illegible] dominia [illegible] modi
[illegible] modos traditos [illegible]
[illegible] tradito [illegible] quia
[illegible] est [illegible]
ff. [illegible] ut [illegible] prescriptione [illegible]
[illegible] dominium ut [illegible] in prescriptione [illegible]
non [illegible] equiparari [illegible] quod
[illegible] cum [illegible]
[illegible] cum [illegible] ut negligentie
[illegible] leges aliqui prescriptiones
[illegible] ut prescriptio
non [illegible] nisi [illegible] ut [illegible]
[illegible] l. xl. annorum [illegible]
cum mala fide [illegible] ¶ Item [illegible]
[illegible] prescriptio dicitur [illegible]
[illegible] prescriptio [illegible]
[illegible] ff. de [illegible] l. i. et 10.

[illegible]

aliene in usus suos et de culpa sua si raptor contracta palam in usus et in hoc quod est cum furto usurariis est contracta [illegible] lam et in hoc cum rapina [illegible] tarius et in hoc differt ab illis [illegible] quod non querit [illegible] cum aliquo [illegible]

[illegible]

Que sunt illa que impediant [illegible]

[illegible] aut mala fides sufficiens [illegible] prudenter dicunt theologi quod [illegible] scrupulosam [illegible]

[illegible]

ff. e. ti. l. i. leges canonibus non contra
eamque quam sunt sine lare q. leges et
canones dic quod sine lare pro non indice
ut in glo. In iste debet
ferri sua quod possit et desinere posse
de. dicte que alii quecumque desinit posse
de eo mutandi iudicis et tunc
pro titulo de alie non iudicium fit
ita desinit possidere non eo mutandi
iudicis et tunc alle desinit an litem q.
aut prius si an ide si dolo desinit ut si
se liti obtulit et actor ignorabat
[illegible]

In supra rubrica tractat de
debet q. desinit possidere
q. si desinit possidere an
lite q. voluntate eo mutandi
iudicis [illegible]
ff. de alie fit cum mutandi iudici
[illegible]
fidei possessor et fuerit in mora
restituendi tunc [illegible]
[illegible]

Si aut fit sententia fertur pro reo iudex
d. absolvit reum ab impetitione actoris
et condempnet actorem ad expensas et per
hanc sententiam actor non est ipso iure
exclusus si sine culpa sua cecidit a possessione
ff de exer. l. quidam exceptio dicta a. alii
dicunt quod iudex in prius casu ff de pnne. l. r.
rem suam requireret non quod dicat sup. rei condempnatus
ad restitutionem rei sed addet quin ea habet
vel pnne. bit. res petita est actoris
ff iudicata sol. l. si sicut s. plus dicam plane
in non tamen negat qui iudex contra ut
si appareret quod reus sine sit habiturus
rem sit et iudex absolvens reum non
ab impetitione s. ab sententia et tunc si reus
de novo habet rem de novo queritur
a deb. c. de excep. l. s. qui ab
solut a petitione tunc condudetur actori
que actionem de restituendo ut c. b. supra
est notandum aut fructuum de restitutione
tunc quod quis obtinuit actionem ipsius rei et
redet actionem ff de rei vendi. l. iulian
et l. si haeres et l. sequitur. arg.
ff de haere peti l. hereditas aut et
l. sequitur. c. leges que loquuntur
quomodo possessor ad aliquos pertinet
et est si fraudetur possessio iuste
e quod habet actionem furti et condictionem

[illegible] intervenerit [illegible] ... [illegible] exceptionem [illegible] ... [illegible] compositum fuerit [illegible]

Adhuc ex quo de hoc cum [illegible] de iudice [illegible] non cognoscit nec admittit exceptionem ut cognoscat set ad [illegible] instrumentum admittere [illegible] ut executor [illegible] [illegible] aliquid et placitum aliquo [illegible] [illegible] proponere [illegible] cognoscere [illegible] si agatur ad [illegible] depositionis [illegible] de [illegible] [illegible] fit [illegible] c. i. et ii. [illegible] adtende quod [illegible] committitur executio non possit re cognoscere et ita alia committitur [illegible] facultas executione ut quod [illegible] non [illegible] committit ordinario ut [illegible] admo [illegible] ff. e. ti. et [illegible] cognoscit et [illegible] subrogatur in locum committentis [illegible] in subsidium ut quod ordinarius committit ordinario et [illegible] alia [illegible] exceptiones que concernunt rem et executor cognoscit ff. c. [illegible] admo [illegible] rebus ut si laica [illegible] super [illegible] et [illegible] terris [illegible] possidere [illegible] audietur alia [illegible] exceptiones que concernunt executionem et [illegible] admittit executor [illegible] et cognoscit [illegible] [illegible] concernit [illegible] ut quod dicitur [illegible] iniqua ut laica [illegible] non cognoscit ut [illegible] [illegible] et [illegible] si non [illegible] re cognitio remittens [illegible] committenti [illegible] admittit exceptiones que concernunt [illegible] executionem et quod [illegible] et [illegible] de executione non [illegible] ad inducendum in possessionem ut [illegible] [illegible] et [illegible] cognoscit [illegible] aliquis audiet [illegible] [illegible] [illegible] ut [illegible] ut [illegible] [illegible] ut [illegible] virtute [illegible] ut c. laicos [illegible] et c. [illegible] [illegible] [illegible]

Quia laica [illegible] [illegible] [illegible] possessione [illegible] et [illegible] creditoribus [illegible] c. laicos [illegible] [illegible] [illegible] [illegible] [illegible] volent.

[illegible] carnalis copula [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] laica [illegible] [illegible] [illegible] Retractatur

[illegible] [illegible] laica [illegible] [illegible] [illegible]

Ubi nos [illegible] [illegible] [illegible] laycorum [illegible] [illegible] [illegible] ut disponebat [illegible] [illegible] [illegible] [illegible] laycos quibus [illegible] non fuit [illegible] iudiciale [illegible] [illegible] [illegible] [illegible] [illegible] forte habebat [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ordinarius [illegible] [illegible] decretale de [illegible] c. [illegible] [illegible] [illegible] [illegible] de [illegible] [illegible] [illegible] laycos non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] admittendi [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] manifeste ut [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

Quia laica [illegible] [illegible] [illegible] [illegible] [illegible] matrimoniali [illegible]

[illegible] [illegible] delegatus [illegible]

xiiii i c. mat. ratione delicti quod videtur mulieri
cum eo et in famulis

... ad xi

quod si vellit non appellat, sua tempus in re
indicata et debebit [illegible] in pueritate et c.
quod ad appellationem. Insuper quod in causa matrimoniali
sententia non transit in rem iudicatam. Item quod sententia
absque non [illegible] ... contra
[illegible] ... sententia fuit lata contra
[illegible] ... matrimonialiter
[illegible] ... lata [illegible] ... fuit
declarari ... per [illegible] tradunt [illegible]
[illegible] ... Item ii
hoc erat descriptum quod lata erat sententia ...
... sine lite ... de re
iudicata ... matrimonialem ... intelligere
debeat sententia ... non de ... matrimoniale
descriptum ... in [illegible]
delegatio ... procedere ut in c.
ii ut lite pen. Item in lata fuit ...
sententia ... absente non [illegible] et ...
... alia ... de re
iudicata ... [illegible]
... ut lite non [illegible] ... legis
... [illegible] ...
... de errore [illegible] et ... [illegible]
... lator si ... non fuisset [illegible] ad ... matrimoniale
... in illa ... fuisset. Item
... carnalis copula ... [illegible]
... [illegible] ... lator

Jo^2 c cu mer

Cis pma q^u uis cingarons bata

f. abeal no fuit apta f. determin

pi^o pm^2 nerimo pecpis et aeteri^2 urlaqns

f^o ppbos duffis

quod si post ipse subiaceret eius [illegible] a quo appellatur et appellatio fuit ad archiepiscopum quod mandatur [illegible].

[illegible] cum absente ratione
sententia quod absente [illegible]
ubi appellans audire [illegible] dicitur in duas
[illegible] processus [illegible] ubi [illegible] potest
restitutio audiens dato appellans relato [illegible]
[illegible] generis sunt motum [illegible] parte
[illegible] ut [illegible] de [illegible]
[illegible] vel in [illegible]
[illegible] appellatio [illegible]
[illegible]

[illegible]

hic constabit primam fuisse [illegible] et sic non
[illegible] ut [illegible] non [illegible] de
[illegible]
[illegible] delegatus [illegible] subdelegavit et [illegible]
subdelegatus fuit appellatum [illegible]
[illegible] delegati sub
delegat [illegible]
legato non [illegible] delegante
de [illegible]
[illegible]

[illegible]

i sentus i et sit ceterum non erit sua que a sta
yro iuxta sententiam nec per de ste . pars sua et
co non debuit adiudi ... pri que e petit
teste ordinatio sentetus electo se presentauit a
tero pro et aduersarium alio tero sunt
petit teste articulo ... et demum ...
pri ... adiudi . i senten ... dicit que e
petierat sua sententia ... et inuitam sentens
de aduersario et eo ... adiudicando ... prius
sua sententia et cassare ... aduersarii re
... et co ... que non des admitti
... petere sententia ... mea et cassa
ri tua que si ... ...
si non ... ualida cassari ...
... alias ... non des que non des ...
cassari ... constancia ... quasi
tere ut non solu ... que ...
que non posset petere ... tue ... ut mea
confirmet ... alii dicitur que bene admittet
... si non ... iustitia sue non
... formabilis ... de altero ... tu
diligens aduersarius ... se petit ... petit
electionem sua ... dicit aduersarius quo iure
hoc petat et ... canonica regulas
... canonica ... modi canonice
electio de ... confirmatione ... canoni
... admittet ... non ... In
... petere ... quo iure petit
cassari electionem et ... hoc ... iura
... exprimat ... congregat ... propter
... ut ... de ... electionem iure
... et non potuit
impedire electionem ... audiet
... materie et ... et ...
... cum ... exprimat ...
... regula ... non ... sua
ut si dicit ... irregularis ... non tamen
... que ... cassatio ... non
admitteretur ... et si recipiatur
restringenda erit sua admittere se pe
tentis ... non ... admittendus ...
... non ... et
... aduersarius ... petere

electum ... de ... partis
de non ... non bene ...
que ... admittetur ... de ...
creditores ... procuratores ... et ...
... que si et ... que ... ...
... extractio sunt ... si ...
... congrua ... in ...
... que electo sit ... benedicto ...
de ... demum ...
... petat cassari sola ... petitur
est ... sua interesse quia si ... illa
... non ... sue et mouet
... quia actio ... propter ... in ...
sibi de ... de electi ... si
non ... sua nil sibi de ... est
quia non des quis ... sua uelle
nare ... est sibi ... et ...
... petit cassationem electionis
... quia des ... cassa
re electionem ... quia ... bene
bonum prelatum ... quo ... plus
quam ... si ... non
... quia si ad ... et
actio ... ad ... et ...
... in ... si petat ad ...
... interesse et ... est
quia ... est ... sua
... quia ... agens
non audietur nisi ... sua ...
si petat cassari electionem ... in ...
non infert ... propter ... de
... tenendo ... ad
... propter ... non ...
quia ... non de
permoueri ... non ...
... Item ... locatio ... quia
possessio ... est ...

Alius ... locatio ... fecerat possessio
... ad ... sui
... de ... possessio ... alii ...
et possessor ... sua ut aliena
... et non possessor et hoc ...

aut cducto ignorat possr̄ q̄ fuit
vl filiū.

et tu no pdr cducto n possio rpte
ff de acq poss l pp[illegible] si q dn ubi q
no pdat dnm n possio ff e ti l si
amic et io cau no cducto ff de re
iur l neq pignus ff locati l no solet
alu scis me dnm et possore et q
duco qi no mea et hic cau dr glo
no pd dnm q no suppl pulio au
cductr adpdd dnm ff de acq
poss l quis q dn [illegible] possio aut p
dr si glo ut l q i eo ff de acq possi
gloss q id ea q no e habiles ad
dnm trasferendu no e et habilis
ad possio trasferenda ut no e l
q i a p alia sit replicat pa dear
glo q resp no est vera q mtre sut
te habiles ad trasferenda possio
et no dnm. glo ri e pta ad
hoc na qr duo no possur cduct
ne sud apossore id e ea q rede
possio ut l eadq ff de capit aprac
go mtrosunt mticult qn duo
possit a no possare n. cgtrary
ergo no pdr dnm n possio

Singulis in illi confessionem competere et sunt non ut ipse sunt vicarius episcopi et per illas dicitur competere aut rogatus — Singulis quod dicitur cum glossa certum autem sunt imperator commisit sic in primo sic dicit et interrogatio sunt plurium excusata et nuntius testium dimittitus erat quod iudicis audiat in eis cui fiat commissio de officio delegati supra contra in quibus dicitur de signis et melius quod aliud in re ipsa testes dicuntur scribere attestationes eis cui commissa est testium receptio dicitur alteri non sunt committi quod electa est industria personae de officio delegati c. si [illegible] si scribere quod tunc electa opera q. de appellatione cum etiam glosa inhibet quod licet sunt electa opera non tamen substituet sic quod supra de solu[tione] inter artifices dicitur quod opus quod requiratur in testium super describere et iudici scribere qualiter sit fides testi adhibenda ff de testibus l. iij et respondere de testibus ff de testibus l. iij et refrenare facilitate et similiter C. de testibus l. ultima In i si ut quod licet · talibus possit committi receptio quarum ad scribendum nec tum quarum adiudicandi quos fuerit de testibus tum quartum quod obstiterat C. de fide instrumentorum et fuit quod obstiterat l. iudicis — per delegati legati committit vide archidiaconum de officio legati legatos in vi Et in si in bonum gravi quod possit petere in sententiis non quod quarum ius est facultas implorandi officium dicitur in quod si aliquis petit petendi a diversis propter ferentur sententias a vero proprio alius exclusio dicitur quod sententias est non petit alium petitore ut propter ea effectum perpendunt sed bene petit alium de cumulandi petitione et erit aperto causa in statuere quod voluerit primo tum sententias in statuere quod voluerit ff potest agere ut in statuerit et si aliud in statuat sic agere in unius quam ceterum et ad interesse. et si quis petitur et episcopus ulterius proferat tunc ut quaeritur aceto quod facultate sed a lege quod voluit proferendi id petitur quod malitiose facit in de quo de imperatore per possessionem Singulis Exceptione de lite propter in de actu atque actio et vide i illa seque de ver[borum] significatione et licet ubi una actio et meliori et tunc in petere exceptione terminum propter quorum scilicet ubi plures debet examinare sic in eius

Item in primis quas proferet ordinarius unus sed ut quod dicitur primo de ordinem de ut [illegible] in ubi aut iij ubi ordo quod ordo unius et fideliter quod per verbale narratione et vero ceterum fuit tunc ipse etiam in porrecta libelli in ducatur lites contestatio ut non sunt quod et de i de lite contestatione in unius tertio sed iudices in se moveo nisi id exceptio quarum nec sit verum et vero dicitur et sit non quod vel et sunt duo vice in ducatur differentias i. q. ubi exceptione [illegible] et in etiam — 22° dicitur quod vide preceptum non debet sumere ordinarius unus quod solutus in legibus 22° in q. quod licet non arceretur in ceterum respectu per vero sunt nos quod prima ipse fuit unus ita sed quod ipse iudicat alii quod — aequum de l. meo C. de sententia et in interlocutione iudici ubi dicitur quod non exceptionis sed legibus in iudicio dicitur dicitur aliquid quod exceptionis ipse sunt iudicatur exceptionis actor non dicitur quod non iudicatur exceptio ut exceptionis ut lege Singulis aut prout quod allegat — Et in si qui in quaestionibus prima fuit unus sic de loquitur de prima principis de in sententiis sed in sententia vel de interlocutio et de diffinitiva si de interlocutione aut in suspensa appellatio aut non si sit suspensa non factus quod appellatio exoriguntur ut suspendere possunt de iure imperatori valentes ff ad turpi l. a. et in non sit suspensa fuit unus quod adversus licet sit reus lite quod supponere et est possunt de appellatione in cessante et in liber de diffinitiva et sit suspensa appellatio non fuit unus et in non sit suspensa tunc quod adversus fuit unus non ut licet quod non sit petere legis gerendi sed ut sunt est sed sit licita quam vel legatarius quod ad alias non in causa et in unius et [illegible] in de sententia principis et de interlocutione et de diffinitiva si de interlocutione et non in clausula corporum dicitur et tunc non fuit unus et in clausula et tunc fuit unus propter si vero in plures quibus diffinitiva ut constituta una C. de novo [illegible]

cōponendo allegatio oppo[sita] i l. no[n] plus C. de usur[is] sunt et [illegible] a diffi[nitio] aut
in [illegible] corpore iuris et fuit ius
C. de lege l. iij et fi. aut [illegible] e clau
sa et tunc si lata e q[uod] lege no[n] fuit
ius nisi aliud exprimit[ur] ut e[st] [illegible]
tantu[m] correctio de [illegible] cu[m] excedat
i q[uod] [illegible] lata e s[ecundum] lege no[n] fuit ius
cu[m] precedat lex ut i q[uod] hec regula[rum]
i q[uod] [illegible] preter ut sup[ra] lege tu[n]c si
in ple[no] te[m]p[or]e no[n] fuit ius ut
l. i. n[u]b[us] ff de statu p[ro]ui[n]ciu[m] si
cu[m] te[m]p[or]e ple[no] te[m]p[or]e [illegible] absentibus
no[n] fuit ius q[uod] [illegible] appe[llaciones]
[illegible] fuit ius ut l. fi. C.
de legibus [illegible] inter [illegible]
[illegible] s[ecundu]m diffi[nitio] prima
lata q[uod] prima s[ecundu]m [illegible]
no[n] fuit [illegible] d[e] [illegible]
[illegible] s[ecundu]m [illegible] Jo[hannes] q[uod] [illegible]
gl[os]a [illegible]
[illegible]

de statu regu[larium] [illegible] q[uod] [illegible]
tione debet [illegible]
offerat[ur] [illegible] q[uod] no[n] valent [illegible]
[illegible] no[n] [illegible]
[illegible] no[n] [illegible] no[n] sunt [illegible]
[illegible] Jte colligi [illegible] i quo [illegible]
[illegible]
[illegible] lata q[uod] [illegible]
[illegible] no[n] e[st] [illegible] ff
de re iudi[cata] l. [illegible] no[n] et l. i [illegible]
[illegible] s[ecundu]m q[uod] [illegible]
[illegible] de prima [illegible] fuit [illegible]
[illegible]
[illegible] et [illegible]
[illegible] q[uod] no[n]
fuerat lata q[uod] re iudicata [illegible]
[illegible] et sic no[n] obstat [illegible]
[illegible] de re iudicata [illegible]
[illegible]

de ysis c. 4 ¶ Ad primum sic innuitur quod [illegible]
[illegible] nemo debet facere [illegible]
[illegible] ... sufficit quod
faciat [illegible] de primis [illegible]
[illegible] quod debeat fieri [illegible]
[illegible] difficile et forte
[illegible] quod sufficienter [illegible]
[illegible] et forte [illegible]
[illegible]

[illegible]

[illegible]

qui videre et s. monachi non curat in prius
regularis prius si fiat in quinque h. cum
vel a. dicta a [illegible] in questione cum ad
hoc non possit suspensio prestare
gratia requirit dato s. necessitas
vel utilitas monasterii et [illegible] ab.
In aliud d. quod est in negotio ab
[illegible] electi et in questione quod in
hoc versatur utilitas monasterii et
per hoc dicit predicta electorum quod sibi
expresse a successoribus dare quod
continent utilitate monasterii ibi quod
primitus per pars et hac ratione vi-
[illegible] per layco [illegible] monasterii
et ideo qui si sunt [illegible]
[illegible] et monachi
[illegible] fiat in [illegible] quod monasterio
[illegible] quam [illegible] Item
[illegible] admittuntur [illegible]
[illegible] qui non erat [illegible]
[illegible] et si [illegible] quod non in
[illegible] monasterii potest dici quod subsit
utilitas monasterii [illegible] quod non
[illegible] Item demandatis [illegible]
et monachus [illegible]
quivere in [illegible] et [illegible]
[illegible] sunt monachi [illegible]
prelatum et priores [illegible] ii q. [illegible]
[illegible] in [illegible] ad [illegible]
[illegible] monachi admittuntur
cui in quo [illegible] monachi admittuntur
agendo vel defendendo [illegible]
[illegible]
[illegible] ut [illegible] et a. de [illegible]
[illegible] Item [illegible] est [illegible]
[illegible] et [illegible] monasterii [illegible]
de postulatione [illegible] Item [illegible]
[illegible] monachum [illegible] clericos
[illegible]
vel [illegible] plurali [illegible]
monachos [illegible] eiusdem [illegible]
de quo [illegible] ut in [illegible] religiosus de
[illegible] in [illegible] aliquod dici quod
[illegible] dari [illegible] et [illegible] vel
[illegible] sunt [illegible] et si
[illegible] quod non subsit utilitas monasterii

[illegible] quod in [illegible] subsit [illegible]
[illegible] ut [illegible]
in [illegible] de postulatione [illegible] non tamen
de mandatis [illegible] dari [illegible]
c. qui [illegible] q. a. [illegible] ii monasterium
non [illegible]
[illegible] mandatum [illegible] ut [illegible]
[illegible] generales [illegible] monasterii [illegible]
[illegible] non [illegible] in generali
testes [illegible] non admittuntur de testibus
[illegible] a. et c. testimonium [illegible]
[illegible] in capitulo et [illegible] ibi
[illegible] admittuntur [illegible] illos [illegible]
de testibus [illegible] ii [illegible] quod
ad [illegible] de testibus [illegible]
volunt dicere [illegible] in questione admittuntur
[illegible] criminosos [illegible]
[illegible] in [illegible] de [illegible]
[illegible] et c. cum oportet [illegible] ad
[illegible] de [illegible] cum [illegible] et non
[illegible] in questione admittuntur
[illegible] Hoc dicebat [illegible]
ad [illegible] et [illegible] non
debuit [illegible] de [illegible] in questione
non [illegible] de [illegible]
[illegible] et [illegible] si [illegible]
[illegible] non [illegible] sunt [illegible]
[illegible] in [illegible] si [illegible]
[illegible] quam ad
[illegible] qui [illegible] in [illegible]
[illegible] prelatum [illegible] q. [illegible] et
[illegible] ad [illegible]
c. [illegible] quod ad [illegible]
quam ad [illegible] est [illegible]
[illegible] non admittuntur
ut [illegible] materia [illegible]
de [illegible] et [illegible]
[illegible] et [illegible] et [illegible]
[illegible] dicit quod [illegible]
[illegible] et [illegible]
[illegible] dico [illegible] dico [illegible]
in [illegible] ut [illegible] de [illegible] ut [illegible]
[illegible]
[illegible] dicitur [illegible]
et [illegible] et
[illegible] ad [illegible] et
[illegible] et [illegible] non possit fieri
[illegible] vel [illegible] prelatum
vel [illegible] et hoc verius [illegible] fieri

[illegible]

[illegible]

i bonum ut [illegible] arch. i c. quum tam
xi q. i. de ver sig c. ii. i c. [illegible] Colle[illegible]
si alii [illegible] sermo suo vel [illegible] indeci
quat [illegible] commovebitur a [illegible]
ad bonum facere [illegible] fieri i malum ut
si fiery [illegible] non [illegible] et de [illegible]
de [illegible] et i li° feudorum de
pace tenenda [illegible] et [illegible]
[illegible] et ii [illegible] que [illegible]
hac [illegible] dicit [illegible] lex [illegible]
[illegible] de [illegible] layci [illegible]
[illegible] et [illegible] tradebant bestiis
ut [illegible] de [illegible] iure no
[illegible] ut [illegible]
[illegible] Et quum [illegible] addit [illegible]
[illegible] fieri [illegible] effectu
et non [illegible] mala et i
mala [illegible] que [illegible]
[illegible] in glosa i [illegible] de [illegible]
[illegible]
[illegible] tenebit sunt ego [illegible]
[illegible]
[illegible] in glosa [illegible]
[illegible] in glosa [illegible]
[illegible] dicit [illegible]
[illegible] non [illegible]
i [illegible] et [illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible] et [illegible] in glosa
[illegible]
[illegible] in glosa [illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible] et [illegible]
[illegible]

[illegible] restitui [illegible] petitio [illegible]
ubi non [illegible] claudi [illegible] tenes
et [illegible] plura [illegible]
[illegible] non [illegible]
[illegible] ad [illegible]
[illegible]
[illegible] et [illegible]
non i [illegible] cum cor [illegible]
[illegible]
[illegible] restituit ut [illegible]
[illegible]
[illegible] fuit [illegible]
et [illegible] fuit [illegible]
[illegible] fuit [illegible]
[illegible] restitu [illegible]
et [illegible] de [illegible]
[illegible]
[illegible]
[illegible] non [illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible] de [illegible]
[illegible]
[illegible] non [illegible]
et [illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible]
[illegible] de [illegible]
[illegible]
[illegible] non [illegible]
[illegible] et [illegible]
et [illegible]
de [illegible]
[illegible]
[illegible]
[illegible] non [illegible]
[illegible] restitui non [illegible]
[illegible] non [illegible]
[illegible] de [illegible]
[illegible]
et [illegible] non [illegible]

et impetratus fit adherit pos[sit] commoveri in[illegible] di [illegible] et c. exemplo quo melius [illegible] [illegible] quia laycus non eligitur sed postulatur [illegible] [illegible] et c. opus [illegible] [illegible] restituere laycum fame [illegible] [illegible] [illegible] depone depone [illegible] [illegible] [illegible] alter supertol [illegible]

[illegible]

rite [illegible] [illegible] adp[illegible]

[illegible] sua [illegible] deform[illegible] [illegible] erit [illegible] [illegible] ordie[illegible] non [illegible] [illegible] cognosse[illegible] [illegible] narrat[illegible] [illegible] et decide[illegible] [illegible] confirmadu[illegible] [illegible] petetem [illegible] agi non [illegible] ut [illegible] [illegible] [illegible] celebrare [illegible] custodes [illegible]

[illegible]

Iungla in alt. gstatuit dr q tex pro solut gtrus ut i pr met uel gpi met et pignus [illegible] dr [illegible] pt prem i mi et i for. Iungla pt [illegible] pro [illegible] ut ubi no i gl eadē et [illegible] eadē q no [illegible] de c et qui [illegible]

alios laicu alius no preiudicat

[illegible] et post [illegible] duos [illegible] alii [illegible] vel alium qui no [illegible] pro no [illegible] q [illegible] ipsa de [illegible] de [illegible] tolle mete legis [illegible] inter [illegible] alius no [illegible] [illegible] agere q [illegible] no preiudicat [illegible] perebant [illegible] suis [illegible] et no preiudicat [illegible] q no potest [illegible] impedire quo minus se defendat i iudicio uel [illegible] et [illegible] no preiudicat [illegible] i [illegible] laicu q [illegible] preiudicat [illegible] ut qui [illegible] ab [illegible] uel defendendo et [illegible] preiudicat [illegible] et [illegible] age ut i creditore et debitore [illegible] et [illegible] libero et [illegible] et [illegible] gl. [illegible] ego tibi [illegible] meum tu creditor agas uel defendas me [illegible] et [illegible] preiudicat [illegible] q si creditor [illegible] me age sibi preiudicat [illegible] debitor no [illegible] quo minus creditor agat q sibi no [illegible] preiudicat q no poss impedire p q poss agere [illegible] debitor [illegible] dr q [illegible] creditore age [illegible] et [illegible] q [illegible] quo ad [illegible] de preiudicio [illegible] de [illegible] laicu q [illegible] preiudicat [illegible] q [illegible] q [illegible] no

preiudicat ut [illegible] et [illegible] [illegible] agere et [illegible] dr q si creditor agat [illegible] q [illegible] et [illegible] q no [illegible] pignoris no preiudicat [illegible] q [illegible] q [illegible] pignoris [illegible] et si [illegible] q no poss [illegible] de [illegible] no de [illegible] agere [illegible] fuerit [illegible] i [illegible] iudicio [illegible] no [illegible] ff de [illegible] [illegible] ff de [illegible] debi [illegible] gl et q no ff de [illegible] i [illegible] si [illegible] adversarius a creditore [illegible] et [illegible] q debitor [illegible] creditore age et adversarium [illegible] preiudicat si [illegible] de dolo [illegible] no ff [illegible] no i [illegible] et no [illegible] et q debitor [illegible] q creditor agat [illegible] adversarium [illegible] creditor [illegible] debitor [illegible] pignori [illegible] sibi [illegible] de [illegible] ff de [illegible] [illegible] ff de [illegible] [illegible] pignore no preiudicaret sibi [illegible] si debitor [illegible] pignorata [illegible] et [illegible] creditore dr q sibi preiudicatur q [illegible] [illegible] [illegible]

tolle p exm et qr cum evidencias sunt
q constante matrimonio mulier est domina
bonorum dotalium et adquiri pro loco possessore
quod c. de rei uxo. l. dote si tibi q
mittat dare age ut [illegible] preiudicat
qr pro loco admisit suscipit agere cum adquirit
pro loco possessorum dicitur non defensio [illegible] tolle
tertium exemplum de emptore et venditore emptor
venditor quaeritur sententia contra emptorem preiudicabit
emptori qui gerebat eum ubi illud dicitur in
glo. in l. sepe ff. de re iu. ubi agens
venditor vel emit de eo in l. de die
in quanto ff. qui satisdare cogantur
quia emptor est successor in re ut hic
in quantum emptor [illegible] l. sepe
per illud verbo dicens emptoris et se
separans est enim ipsum ystam dare eum glo.
et dicit. Accursius facio quod tibi vendi
di et tradidi repetitur sed certum
ago in illam rem tuo illa preiudicium
indicet tibi nisi vellem [illegible] ff. de
eccept. l. si hoc et in vi. l. [illegible]
si ago nostre ipso causa successor quando non
[illegible] dominium quod dicitur [illegible]
in modum [illegible] abbate [illegible]
[illegible] non possum [illegible] quod ut
[illegible] dominium non preiudicabit
tibi quod hoc [illegible] et quod ego
successorem [illegible] obiectus dicitur
ego vendidi successor quod adquisivimus
per dominium ut per auctorem meum
non fuisse dominum ut in aliis [illegible]
dominium [illegible] emptore [illegible]
nisi [illegible] quod duo non possunt esse domini
in solidum eiusdem rei ff. commodati l. si ut certo
et si duobus vehiculum [illegible] preiudicium
[illegible] tibi scienti et tacenti et sic est in
[illegible] emptore
[illegible] deductum sit in iudicium [illegible]
[illegible] vendidi [illegible]
[illegible] dominium et
[illegible] fecit [illegible]
[illegible] cum [illegible]
[illegible] de [illegible]
[illegible] apposuit

degressus [illegible] tolle quartum exemplum de liberto
libertus meus queritur ab alio me sciente
et tacente prono liberto successori
preiudicat ne indiget glosa quod [illegible]
[illegible] illud textum [illegible] quod non
[illegible] interrogatione
et debitoris posses [illegible] defendere glo.
quod liberto [illegible] manumissione [illegible]
una [illegible] et [illegible] dame [illegible] non
[illegible] aliis [illegible] tenet [illegible]
[illegible] et dant [illegible] tertii quod
[illegible] sciat [illegible] et defendat
quod [illegible] cum [illegible] si [illegible]
[illegible] velle [illegible] liberto et illos
quos [illegible] replicas quod non preiudicat
quod adversus [illegible] alteri est scienti
et tacenti licet preiudicet quod ad [illegible]
scienti et non [illegible] ut ibi [illegible] glo.
quod [illegible] preiudicat [illegible]
alteri ut in creditore et creditore [illegible]
[illegible] quod hoc non [illegible] in actione [illegible]
[illegible] actionis [illegible] adepte
[illegible] et [illegible] de [illegible]
ff. de [illegible] in [illegible] ad [illegible]
[illegible] dicit quod [illegible]
alter [illegible] ut in [illegible]
[illegible] et [illegible] magis [illegible]
[illegible] predicti ubi [illegible] erat [illegible]
quod [illegible] actione de [illegible]
evidentia [illegible] creditur quis [illegible]
[illegible] non [illegible] creditur
[illegible] quod [illegible] ignoret creditor
[illegible] licet [illegible] hoc [illegible]
de plano [illegible] credit quod [illegible] preiudicat
[illegible] alius [illegible] confessum [illegible]
[illegible] adterrere [illegible]
ff. de [illegible] et [illegible]
[illegible] quod si [illegible] petendo
[illegible] et [illegible] petere [illegible]
non [illegible] quod [illegible] possidebat et [illegible]
debuit [illegible] me et non [illegible] si non possit
[illegible] non [illegible] agere [illegible]
[illegible] agere [illegible] non preiudicat [illegible]
dicens in domino et fructuario [illegible]
[illegible] defructuario quod [illegible] de

de creditore et debitore q[uod] si fructus percipit q[uod] no[n] p[ro]bat se cons[e]cuturu[m]... no[n] p[re]iudi-
cat d[omi]no ut si p[er]cipit q[uod] no[n] p[ro]bat d[omi]n[u]m cu[m] a quo q[ui] ca[usa] seq[uestrationi]s si adversarius
q[uo]d... et d[omi]n[u]s ... defen-
dit seq[uestrationem] q[uod] no[n] ... nisi ... possio[n]es no[n]
... p[re]iudicabit ... d[omi]no p[ro] creditor
possid[et] ... et ... sim[ilia] ...

[illegible]

[illegible]

[illegible]

Item appellatur a quo iudex de iure tribunali descendit ff de [illegible] l. divus quod si non sunt ferie [illegible] appellationis [illegible] [illegible] [illegible] non [illegible] de [illegible] ut [illegible] appellatio [illegible] sententia de re iudicata [illegible] [illegible] a lege [illegible] de qua [illegible] de libel. oblat. [illegible] appellantis et iudicis [illegible] et adversarii et [illegible] et si aliquos [illegible] opprimere [illegible] [illegible] appellatio a tali [illegible] non est [illegible] [illegible] quod appellat [illegible] et si aliquas [illegible] [illegible] non [illegible] de [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] appellans [illegible] porrigit [illegible] [illegible] [illegible] ibi [illegible] [illegible] ibi debent [illegible] recurre ad [illegible] non [illegible] [illegible] [illegible]

Item [illegible] appellatio [illegible] de [illegible] [illegible] ibi [illegible] in claustro [illegible] [illegible] non [illegible] [illegible] violatores [illegible] de [illegible] ibi [illegible] de [illegible] admittitur [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] offendere [illegible] [illegible] ordinarii [illegible] [illegible] [illegible]

Item non appellatio admittitur [illegible] [illegible] [illegible] [illegible]

[illegible] corrigere [illegible] appellatio

quolibet [illegible] corrigat [illegible] [illegible] appellatio [illegible] [illegible] [illegible] [illegible] de [illegible] [illegible] [illegible] quod [illegible] non [illegible] appellat [illegible] appellat [illegible] [illegible] [illegible] [illegible] [illegible] appellasset [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] appellatio [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] appellans [illegible] terminum a iudice [illegible] [illegible] [illegible] [illegible] [illegible] appellatio [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] appellans [illegible] [illegible] terminum [illegible] appellatio [illegible] [illegible] [illegible] [illegible] [illegible] appellans a lege [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] terminum [illegible] [illegible] [illegible] appellatio non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] terminum [illegible] [illegible]

quedam q no suffic[it] q[uod] debuit sic cum
effectu [illegible] de ete no[n] nisi ne
[illegible] alii dic[un]t id sufficere [illegible]
datum i[d est] c[on]cessum [illegible] stricte i[n]
telligere ff de [illegible] obl[igationibus] [illegible]
[illegible] de [illegible] [illegible] et hoc
[illegible] no[tabi]l[ite]r [illegible] cum [illegible] in q[uo]
[illegible] et ipse c[on]t[r]a q[uod] [illegible] obti
misse no[n] [illegible] et auferri [illegible]
[illegible] de [illegible] q[uod] appell[atus]
parte [illegible] [illegible] et [illegible] offer
re appellans [illegible] [illegible]
[illegible] quid si iudex [illegible] t[er]mi[num]
ad [illegible] et [illegible] aliu[m] ad
faciendum fidem de [illegible]
dic[un]t aliq[ui] q[uod] sic et [illegible] no[n] [illegible]
deserere app[ellatio]n[em] alii q[uod] [illegible] bene
q[uod] iudex a quo no[n] [illegible] [illegible]
[illegible] [illegible] aute[m] q[uod]
in [illegible] [illegible] et ut
[illegible] et [illegible] appell[atio]
[illegible] si hoc no[n] [illegible] q[uod]
[illegible] termi[num] ad
hoc [illegible] appel
[illegible] [illegible] [illegible]
[illegible] et [illegible] q[uod] [illegible] [illegible]
[illegible] appellatio [illegible] no[n] [illegible]
[illegible] a lege [illegible] [illegible] q[uod]
q[uod] [illegible] lapsu[m] [illegible] q[uod] no[n] poss[it]
finiri [illegible] dicu[n]t aliq[ui] q[uod] [illegible]
[illegible] [illegible] [illegible]
[illegible] de [illegible] de [illegible]
[illegible] [illegible] mortue [illegible]
[illegible] appell[atio] [illegible]
[illegible] no[n] admittit[ur] appell[atio] [illegible]
[illegible] [illegible] [illegible]
[illegible] cum [illegible] et no[n] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] fuit [illegible] no[n] [illegible]
[illegible] cum no[n] [illegible] appell[atio] [illegible]
[illegible] [illegible] iudex [illegible] ut [illegible]
et [illegible] [illegible] appella[tio]
quid si totu[m] t[em]p[u]s [illegible] no[n] e[st]
lapsu[m] [illegible] q[uod] no[n] [illegible] finiri [illegible]

[illegible] [illegible] p[ro]cedi an finie t[er]mi[num]
[illegible] [illegible] [illegible] delatio[n]e
iudicis [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible] [illegible]
[illegible] et [illegible] de [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et
[illegible] q[uod] no[tabi]l[ite]r [illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible] [illegible]
cu[m] t[er]mino elapso sit p[ro]cessuru[s] et [illegible]
[illegible] debet [illegible] de quo [illegible]
[illegible] ad [illegible] [illegible]
[illegible] et [illegible] et [illegible] et
hoc [illegible] [illegible] mi[n]ori [illegible]
[illegible] lapsus t[er]mi[nus] et hoc
[illegible] ubi iudex detulit appell[ationi] [illegible]

Appellans ad p[ro]seq[uen]d[um] appell[ationem]
[illegible] [illegible]

iudex moderetur et si [illegible] no[n]
[illegible] [illegible] ad [illegible]
[illegible] [illegible] appell[ationi] hoc [illegible] de
[illegible] [illegible] appell[ationi] [illegible]
[illegible] [illegible] hoc [illegible] t[er]mi[num]
appellans [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] moderat[ur] [illegible]
[illegible] no[n] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
q[uod] [illegible] [illegible] si appellans
[illegible] ut [illegible] si appell[atio]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
a quo et [illegible] lapsu t[er]mino [illegible]
[illegible] [illegible] [illegible]
no[n] q[uod] [illegible] a lege [illegible] [illegible]
et [illegible] [illegible] lapsu[m] [illegible]
[illegible] deserere app[ellatio]n[em] [illegible] appel. [illegible]
[illegible] [illegible] appell[ationi] [illegible] [illegible]
appellans [illegible] et debet
[illegible] [illegible] appell[atio] [illegible]
[illegible] [illegible] q[uod] [illegible] [illegible] ad
[illegible] [illegible] no[n] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] appellans
[illegible] iudex [illegible] [illegible] debet
[illegible] [illegible] [illegible]
no[n] [illegible] [illegible] appellans
[illegible] t[er]mi[num] [illegible]
et [illegible] iudex et appellans [illegible]

[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] appell[atio] et [illegible]

terminus non dat[ur] appel[lanti] ... solo appellante ... negocium principale ... dimisso articulo appellationis vel cognoscit ex de ...

sap[ientibus] q[uod] sit ut c. cordi ... q[uod] volente solo appellante ... parte ut no[tatur] ... et delictis et expensis ut no[tatur] in c. cordi ... libello ... possit eligi iudices ut non ... appellationis ... et notatur q[uod] ... partem remittet ... [illegible] ... par ... duorum ... partium ... futurum non dat[ur] terminus. Jo[hannes] An[dreae] ... [illegible]

... termino ... computandum ... appellans et si minus ... iudex partes ... et si non ... ipsa ... appellatio ... deserta ... terminus ... appellans ... [illegible]

[illegible]

i[n] c[apitul]o ... quo ... appell[ationis] ... [illegible] ... terminus ... iudex ... super ... possit ... c. ... [illegible]

Cum iudex a quo ... appellationis ... possit ... ut ... [illegible] ... iudex a quo ... appellationis ... Jo[hannes] An[dreae] ... iudex ... appellationi ... [illegible]

... Attende ... appellatio ... recusatio ... appellatio ... [illegible] ... appellationis ... [illegible]

s effectum appellationis ut recusationis non est absurdum quod appellatio duplicem effectum producat de hoc quod dicit ipso solutio et hoc tenens si qui et 40 an et sequitur quod si ex sola pendentia appellationis possit fieri recusatio in ad eum in qualibet appellatione ... legis ... ut ... sibi facultatem recusandi tollere ... sequitur ... intelligatur ... ordinario et hic ... 10 ... de sequens ... et hoc et ... ut ... de ... libri et ... 10 ... expedita ... libri ... ... non ... quod ... causa quod sola pendentia appellationis faciat iudicem a quo suspectum ... ordinarius ... delegatum et non ... absque ... appellatio ... negatur qui appellando recusare posset iudicem a quo ... sola quod appellatur ... archiepiscopo ... appellatio ... pendeat ... ordinarius ... appellationis ... ad ... delegare ... credo quod sola appellationis pendentia in ... suspectum ... suspectum ... recusatione suspectum ... non sola ... in ... tale ... iudicem ... appellatione ... et ... suspicio ... effectus ... non ... suspectum ... suspecti de ... suspicionis ... suspicio ... iudex et ... in ... suspecti ... non suspecti ... et ... suspecti ... appellationis ... suspecti ... et ... sola ... arbitris ... appellatio ... arbitrio ... suspectum ... appellationis sequitur ... arbitris ... suspicio ... verbalis ... appellatione ... appellationis ... appellatione ... iudicem ... pendente

impositum ... ut ... appellationis ... sed ... ad ... hoc ... appellatione ... suspectum ... appellatione ... non ... ut ... appellatione ... suspectum ... recusare ... appellationis ... et recusationis ... appellationis iudice ... suspectum et non suspectum ... suspectum ... appellationis ... suspectum ... recusatio ... metropolitanum ... appello ...

Quod appellatio ... appellationem ... appellationem ... iudicem ... appellationem ... appellationem ... appellationem ... appellationem ... iudicem ... suspectum ... appellationem ... appellationem ... appellationem ... delegatus ... appellationem ... iudex ... appellationem ...

a sua sua habebat pleni [illegible] et in
[illegible] fuit lata q̄ [illegible] [illegible] q̄ [illegible]
[illegible] de testa relyonir et relynas
— Sed pone appellans ad superiore [illegible] ad
[illegible] appellasse ad papam et sic
ut surrepticiis non debuisset audiri
de [illegible] et [illegible] [illegible] Sed [illegible]
[illegible] petitio [illegible] surrep
[illegible] audiri [illegible] [illegible]
[illegible] non [illegible] admit
titur [illegible] q. [illegible] Sed pone ij de
[illegible] de ap et [illegible]
[illegible] ff. [illegible] et c. dilecti [illegible]
[illegible] appellandi [illegible] glo
[illegible] illud [illegible] dicunt [illegible] — Quid
si quis appellat ad [illegible] ad papam [illegible]
[illegible] appello in [illegible] non [illegible]
[illegible] appelletur [illegible]
[illegible] superiore ff. [illegible]
[illegible]
[illegible] appellet
ad [illegible] certum [illegible]
appellat non posse omisso medio [illegible]
si appellet ad papam [illegible]
[illegible] adversarium [illegible] dies [illegible]
[illegible] appellare possit de novo [illegible] appellans
[illegible] declarare arg. [illegible]
de libel. obl. c. 1. Alii dicunt [illegible]
[illegible] appellatio [illegible]
[illegible]
[illegible] ff. de [illegible]
[illegible] non [illegible] judex [illegible]
[illegible] non [illegible] ij q. [illegible] si quis
iudice [illegible]
[illegible] appellatio
non [illegible] ij q. [illegible]
[illegible]
[illegible] dicunt [illegible]
[illegible] appellatio
[illegible]
[illegible] admitte
[illegible]
[illegible]
[illegible] lex
dat certum ut [illegible]
[illegible] adversarium
[illegible]

[illegible] — Quid si dicit
[illegible] appello ad iudicem [illegible]
[illegible] ff. [illegible] dicunt [illegible]
[illegible] quia iudex dat a lege [illegible]
[illegible] appelletur [illegible]
[illegible] ut [illegible]
[illegible] ff. [illegible] non sunt [illegible]
iudices [illegible] non [illegible]
[illegible] — Quid si quis appellat
erronee [illegible] ad inferiorem [illegible]
[illegible] appellat ad superiorem [illegible]
[illegible] non [illegible]
[illegible] appellat ad superiorem [illegible]
[illegible] et de ap [illegible] si erronee
appellat ad superiorem [illegible] non [illegible]
[illegible] appellans [illegible]
[illegible]
[illegible]
[illegible] — Quid si appellat ad [illegible]
[illegible] ad papam [illegible] a quo defert [illegible] ad
papam [illegible] appellare [illegible] appellatio
[illegible] iudex non potuit ferre [illegible]
[illegible]
[illegible]
[illegible] si appellet ad
[illegible] ad papam [illegible]
et [illegible]
ut [illegible]
— Quid si dicit appello non [illegible]
[illegible] appellasse ad [illegible]
superiorem ff. [illegible]
[illegible] non admittenda non ad
[illegible] et
[illegible] — Quid si iudex
a quo appellatum est [illegible]
[illegible] iudex [illegible]
non [illegible] iudex [illegible]
[illegible] appellatum [illegible]
[illegible]
[illegible]

[illegible] appellatio [illegible] requirunt [illegible]
[illegible] non [illegible]
[illegible] appellatio [illegible]
[illegible]
non requirit [illegible] defensor et [illegible]
admittitur ad defendendum absens [illegible]
[illegible] appellatio [illegible] dies [illegible]

[illegible]

[illegible]

deserta est. appo si aut inte q sey trahi
aut a eapiat qui cod et sic s hoc posse
hinc [illegible] hoc dr q a die
sunt i capiunt [illegible] hoc a die appo
a tempore ut a die [illegible] quando cum
a fuerit quando appr ut [illegible] c. ti. [illegible] parte sua petit appellatus
[illegible] appo deserta et [illegible]
[illegible] iudicem et [illegible]
non q si deserta e appo non e iudex
glo hoc aliq hic colligit i [illegible] s appo c
c. et cols. appr [illegible] qr [illegible]
[illegible] sic deserta [illegible]
[illegible] si [illegible] iudex
[illegible] non iudice ut [illegible]
[illegible] supplere [illegible] si [illegible]
appo deserta parte [illegible]
[illegible] non nisi i [illegible]
ut l. paulus ff de [illegible]
si stat [illegible] iudice quo [illegible]
[illegible] alia q si [illegible]
[illegible] non currit quod
[illegible] de tep ap [illegible] glo hic
et hos. [illegible] impedimentum [illegible]
i [illegible] In hic [illegible]
[illegible] impeditus
[illegible] c. ti q
[illegible] c. ti. ii q. vi [illegible]
[illegible] et [illegible] not so
[illegible]
[illegible] impedito [illegible]
[illegible] fatali [illegible] a lege
[illegible] non fuerit negligens dat a lege
[illegible] fatali [illegible]
[illegible] fatali [illegible] non [illegible]
[illegible] tm tps i quarto fuit i
[illegible] et [illegible] resti
tutione [illegible] si fuit negligens
[illegible] et [illegible] impeditu
[illegible] aliq
[illegible] tps i pedi
[illegible]
ff [illegible]
[illegible] restituet [illegible]
[illegible] corrodat tps
[illegible] negligentie [illegible]
i [illegible] et [illegible]
[illegible] ff [illegible]
[illegible] archi [illegible]
[illegible] et hic [illegible] i tertio anno
[illegible] a lege [illegible]

[illegible] impedito [illegible] c. ti q
[illegible] sic [illegible] determinari
[illegible] a quo [illegible]
[illegible] a lege [illegible]
biennium [illegible] nisi [illegible]
restitutione et hoc [illegible] de tep
ap [illegible] not [illegible]
de hiis qui [illegible] app [illegible]
[illegible] not [illegible] de ap [illegible]
[illegible] not i [illegible] de hiis qui
i [illegible] app [illegible] de hoc [illegible] glo
et de tep ap [illegible] si app [illegible]
[illegible] impeditu [illegible]
cum moderatione [illegible] ut voluntas
[illegible] non [illegible] si [illegible]
[illegible] tertiu [illegible] dicitur
tertius [illegible] tm tps i quartu
fuit i peditus [illegible] ff [illegible]
[illegible] impeditus
i [illegible] modico tpe [illegible] negligens
[illegible] si non fuerit negligens [illegible]
[illegible] negligens si appellans posset [illegible]
[illegible] iudices [illegible] app [illegible]
[illegible] c. ti [illegible]
[illegible] cum sit
[illegible] facultas [illegible]
et [illegible] de duos
et [illegible]
causa [illegible] temporis [illegible]
[illegible] non satisfacit [illegible]
cum [illegible] summa [illegible] summas
[illegible] quid [illegible]
[illegible] de [illegible]
[illegible] c. ti [illegible]
[illegible] de [illegible] cum [illegible]
[illegible] e [illegible]
[illegible] ii cum [illegible] et [illegible]
iii [illegible] summa [illegible]
[illegible] biennium non [illegible]
[illegible] cum non [illegible]
[illegible] delegatus [illegible] ut [illegible]
ut [illegible] de [illegible]
non [illegible] summa [illegible]
[illegible] appo e deserta [illegible] aliq
[illegible] posse [illegible]
[illegible] et [illegible]
[illegible] capitulum [illegible] effectus
[illegible]

alibi expressis consulendo et hoc procedit in delegato ut subdelegato nam si episcopus delegauerit cum appellationis qui est negligens quod ipse poterit uel ordinarius ff. de iudiciis l. iudicium soluitur si fuerit negligens et ipse cognouerit ut alii delegare idem in subdelegato delegari principalis quod non subdelegetur in tantum sed a ordinariis non procedens quod minus post non possit reuocare ... episcopi dato quod negligens de supplenda negligentia ... ex hoc dicebat quod si appellationis pendente deseratur presertim hoc casu iudice a quo appellatur ut causa executione ... et si conferre appellatio ...

[illegible]

tempus [illegible] de iure suo petendi fore et
appellatus [illegible] ad [illegible] deinde pro
[illegible] appellatio [illegible] de tempore [illegible]
[illegible] et [illegible] q si [illegible]
[illegible] de [illegible] impediat
[illegible] annus [illegible]
[illegible] ad [illegible]
[illegible] in [illegible] tunc [illegible]
[illegible] quantum [illegible] tempus [illegible]
[illegible]
Item ubi de voluntate [illegible] et [illegible]
[illegible] de anno [illegible]
[illegible] de [illegible] Item appellatus ad finem
[illegible] anni [illegible]
[illegible]
de [illegible] qui ingredi ad [illegible] col. [illegible]
[illegible] si appellans [illegible] appel
[illegible]

ubi forma [illegible] Item [illegible]
ubi [illegible] et [illegible] Item [illegible] de
[illegible] ad [illegible] ii et iii Item
terminus [illegible] tempus [illegible]
[illegible] termini [illegible]
[illegible] modica tempus
non [illegible] non [illegible]
[illegible] ab eo [illegible]
appellans [illegible] sic [illegible]
[illegible] denegari et tunc [illegible]
[illegible] appellans [illegible]
[illegible] modici [illegible] non [illegible]
Item terminus [illegible] non [illegible]
[illegible] et [illegible] anno [illegible]
Item [illegible] anno appellans [illegible]
[illegible] favore [illegible] introductus
[illegible]

vel in absentia et tunc est remedium contradicto
ut ibi s. forma vel eam decretalem supra e. supplico

Suspenditur exceptio supra
q. appellatione est et eius principalis
sit illa differentia non possit dici i. 2. alteri
ni ibi s. autem exceptio et negotio principali
nota quod appellatio suspendit impetratis supplico supra
quo appellatum est ff. ad turpil. l. i. Item
recte superius indicatur alias non indicere
dum lapsu dictum tamen Daniel Item quod
appellationibus frivolis non est deferendum e. c.
ut debitores. Inglo quia in s. cum inter vos
quia nunquam sunt aliquae exceptiones quae post
sunt tractare sicut negotio principali dicit quod sic
ut illa quod non concedatur nisi inquisitum
fieri sit ff. de re iudicata l. sit quasi
ista per cognosci an sic debeat quod
sunt appellationes quod debent admitti et non
debeant initiar [illegible] vel executio fieri
tolle a exceptione comparatos. In eadem
vero quaestione cum duo testes deposuerunt
quod te exceptis quo tamen ego appello quod
exceptionis admittitur sed ista non
possit terminari negotium principale sed si esset
postea tunc bene terminaretur sed illa est
bonum quod dicit glossa vacare argumentum a glossa est
verissima quod quandocumque causa suspenderetur
sed invalide ubi non possit terminari sed
exceptione est [illegible] dicit quod [illegible] s. in quod
de principali cognosci competens iudex s. ille
a quo appellatum est non est competens ut est ea
quae dicit glossa. Inglo s. ibi postquam litem quod
non [illegible] definitive quod quia in s. [illegible]
imperatoris quae illa admittitur est postquam [illegible]
ut dixi de except. cum venerabilis aliud dicit
quod responsum [illegible] appellationi quod nimium frivolis
alii et verius quod [illegible] de appellatione
exprimente causam [illegible] quod tunc notatur
aliud tamen pendente [illegible] proprie s. e. de ap
Innovationibus et invoca
tionibus appellationis pendente defertur
[illegible] c. s. a maioribus. Inglo
in s. dicit [illegible] arbitrio iudicis
dicitur c. supplico [illegible]

Aut et post sententiam
tandem appellatur post
uvia cymbi [illegible] pressus [illegible]
de [illegible] [illegible] duas alteras
ut duo sunt [illegible] summario [illegible]
[illegible] et iudicio [illegible] indici et sunt
[illegible] [illegible] tamen ut [illegible]

relevare quod adhuc in [illegible] est remedium
appellationis ii q. vi quoties [illegible]
cymbis quod [illegible] ad [illegible] relevatur
[illegible] appellatione interponenda
a diffinitiva et est [illegible] [illegible] tamen non
[illegible] cymbi [illegible] instantia et de
[illegible] [illegible] non [illegible] [illegible]
de [illegible] [illegible] [illegible] cymbi
possit ad [illegible] appellationi tolle [illegible]
quod [illegible] non [illegible] relevari appellatione
interponenda a diffinitiva [illegible]
si [illegible] aliquis [illegible] vel [illegible]
q. c. c. vel [illegible] de non [illegible] negotium
principale quod [illegible] relevari non [illegible] Item
[illegible] interlocutoriis quas [illegible]
[illegible] appellationis interposita a diffinitiva
[illegible] tamen [illegible] [illegible]
[illegible] [illegible] nunquam [illegible] appellationem [illegible]
[illegible] dicit quod [illegible] canonum de [illegible]
c. a. et [illegible] cymbi [illegible] [illegible]
quod istud [illegible] non possit [illegible] relevari
s. si [illegible] verba et exprimatur [illegible]
quod [illegible] non est [illegible] appellatione s. si
[illegible] non exprimit [illegible] partis appellationi quod
[illegible] quod [illegible] [illegible] ff. de [illegible] i. [illegible]
s. [illegible] q. si forte et de re iudicata [illegible]
[illegible] [illegible] non [illegible] [illegible] non [illegible]
s. si iudex [illegible] s. non [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] appellationi
utroque [illegible] quod istud interlocutoriam
non [illegible] ad diffinitivam [illegible] si [illegible]
s. iudice quod tunc non possit relevari
[illegible] [illegible] [illegible] legitimam [illegible]
[illegible] si iudex [illegible] quod non [illegible]
[illegible] quod partis utroque [illegible] appellationi quod [illegible]
interlocutoriam [illegible] diffinitivam s. si
[illegible] quod [illegible] quod non est non partis
appellationi quod [illegible] diffinitivam possit [illegible]
[illegible] [illegible] [illegible] si [illegible] [illegible]
non [illegible] tutore [illegible] quod [illegible] appellationi quod
[illegible] ad diffinitivam non [illegible] s. si [illegible]
[illegible] tutore et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
decretum de [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] tutore [illegible] ff. quod [illegible]
[illegible] tutore [illegible] [illegible] quod non
[illegible] [illegible] [illegible] de [illegible] [illegible]

[illegible] de [illegible]

s. [illegible] [illegible] [illegible] [illegible] nunquam est
[illegible] [illegible] [illegible]

de ipso super litteris sed in casu in quo cuilibet non
petitur appellari quia non invenit competentem
valeant agitari. Item idem si super
appellatione a iudice a quo interponet
tamen non posse illum recusare. Item
recusatus officialis per archidiaconum et tamen
non possit de illo ad episcopum appellari, iste
ratione [illegible] non audiretur appellans
quantum possit iudicem recusare sed sic
non videtur prout [illegible] non requirit eius
sed modum quia prout repellitur appellans
[illegible] et recusatio. Item
[illegible] quod iudex [illegible] prorogationem non habet
[illegible] de quo de [illegible] vos
[illegible] si limitatum [illegible]
dicit [illegible] quod dicitur [illegible]
ut quia dicit [illegible] ad [illegible] quia
adveniente termino [illegible] et
de [illegible] illa [illegible]
[illegible] si [illegible] impeditus [illegible]
[illegible] respondebit. Quid si iudex
iudex [illegible] dicit quod non [illegible]
tempus quia non potest [illegible]
[illegible]
si [illegible] fuit duplicatum [illegible]
et traditum utrique parti publicanda [illegible]
[illegible] ut [illegible]
tempore [illegible] si [illegible]
[illegible] tempus [illegible] de rigore [illegible]
[illegible] publicetur actori [illegible]
de [illegible] et [illegible]
[illegible] de [illegible]
[illegible] ut [illegible] sub
[illegible] adveniente termino
[illegible] per [illegible]
de [illegible] dato iudice [illegible]
[illegible] differentiam [illegible]
[illegible] et ad [illegible]
[illegible] petit terminum [illegible]
[illegible] de [illegible] et
[illegible] nisi forte [illegible] novum ob
[illegible] tamen [illegible]
[illegible] ter
[illegible]
[illegible] certum
tempus ad [illegible] tamen [illegible]
[illegible] ad [illegible] non differentur

[illegible] facienda [illegible] alteri parti quia non [illegible] non
[illegible] qui [illegible] dilationem ad [illegible] de
[illegible] iudex tamen [illegible] dilationem
[illegible] cum certum tempus [illegible] limitata
quia terminetur [illegible] delegatus
[illegible] impetranti non [illegible]
[illegible] et etiam dilationes quia et [illegible]
[illegible] si [illegible] totum tempus [illegible]
[illegible] iudex [illegible]
[illegible] pereat [illegible] de [illegible]
[illegible] qui [illegible] si [illegible]
reus non [illegible] termino et [illegible]
novas dilationes [illegible] actori [illegible]
de tempore [illegible]
[illegible] certum [illegible]
[illegible] mandetur et [illegible]
[illegible] termino [illegible]
[illegible] iudice ad quem [illegible] iudex
[illegible] dicebat [illegible] si alicuius
[illegible] instructa [illegible]
ad certum tempus [illegible] termino adveniente [illegible]
[illegible] instructione [illegible] et [illegible]
[illegible] terminum non [illegible]
[illegible] et terminum [illegible]
[illegible] delegato [illegible]
[illegible] actor [illegible]
[illegible] non admittetur
[illegible] ad [illegible]
[illegible] et [illegible] non [illegible]
iudice ad terminum [illegible] de [illegible]
[illegible] non [illegible] instructa
ut fuit [illegible] instructa [illegible] ut
[illegible] de instructione et [illegible]
et si non [illegible] de dolo [illegible]
[illegible] et forte melius
quod si iudex non [illegible]
[illegible] instructione non [illegible] quia non
[illegible] iudex [illegible]
de [illegible] et [illegible]
[illegible] et si non [illegible] instructum tamen
[illegible] et [illegible]
[illegible] qua [illegible] instructionem [illegible]
[illegible] non [illegible] plena instructio [illegible]
[illegible] de [illegible]
[illegible] non et [illegible] iudex ad [illegible]
[illegible] et [illegible]
[illegible] de [illegible]
[illegible] et [illegible]

vel reu actor[is] vel reu app[ella]do / [illegible]
[illegible] decret[um] q[ui]cq[ui]d remittat[ur] i[n]structa
vel no[n] i[n]structa recipit p[er] dece[m] [illegible]

Anno[n]pus audit[ur] app[ella]ns n[isi]
sit notor[ius] et statuit iudex
a quo termi[n]u[m] app[ellan]ti ad [pro]sequ[e]ndu[m]

[illegible] ibi stat[ui]t[ur] l[ite]ras [illegible] ut diff[illegible]
[illegible] et [illegible]
[illegible] audit[ur] app[ella]ns [illegible] ut debit[illegible]
[illegible] et noto[rius] [illegible] et notori[us]
[illegible] no[n] audit[ur] app[ella]ns [illegible]
[illegible] audit[ur]
[illegible]
[illegible] app[ellan]t[is] et eo [illegible]
[illegible] ad supplicium et [illegible]
[illegible] et [illegible] notoriu[m] [illegible]
[illegible] Adverte q[uod] [illegible]
[illegible]

[illegible]

[illegible]

q refert no pleno [illegible] appe defert
[illegible] no appe [illegible] i minori [illegible]
[illegible] i. ipse referre nisi [illegible]
[illegible] fieri q rogacio [illegible] Innoc
[illegible] na [illegible] q [illegible]
et hoc [illegible] pa [illegible] ad [illegible] q
[illegible] [illegible] sequitur cu si [illegible]
[illegible] datu a lege nisi aliud
[illegible] Innocencia [illegible]
[illegible] q ad [illegible] [illegible]
cu [illegible] [illegible] ut [illegible]
[illegible] ut [illegible] q [illegible] [illegible]
pen [illegible] appella [illegible]
[illegible] absolu ad cautelam
et si appare [illegible] [illegible]
no [illegible] q [illegible] [illegible]
[illegible] auditor [illegible] [illegible]
ubi qui [illegible] [illegible] ubi [illegible]
q [illegible] [illegible] [illegible] q [illegible]
de pen [illegible] [illegible] et [illegible] [illegible]
Innocens q [illegible] ab alio [illegible]
[illegible] [illegible] no [illegible] q [illegible]
si de [illegible] [illegible] ut not Archi
de pen [illegible] [illegible] q [illegible]
[illegible] [illegible] de pen [illegible] q
[illegible] [illegible] [illegible] [illegible]
dicitur [illegible] absolucio ad cautelam
[illegible] intelligo ut [illegible] [illegible]
[illegible] intelligit [illegible] q [illegible]
absolui ad cautelam tu [illegible]
[illegible] q [illegible] q [illegible] no absolum
ad cautelam [illegible] isti [illegible]
et no absoluerit [illegible] absolui [illegible]
[illegible] et [illegible] [illegible]
de pen [illegible] [illegible] et not Archi
[illegible] et hoc [illegible] [illegible]
et [illegible] Archi [illegible] [illegible]
[illegible] [illegible] q de Archi [illegible]
[illegible] q quibus qui [illegible] illas
absoluciones [illegible] [illegible]
[illegible] [illegible] q forte
[illegible] referre [illegible]
[illegible] [illegible] q [illegible]
[illegible] [illegible] de [illegible]
[illegible] et ubi [illegible] [illegible]
[illegible] si dicas auditores [illegible]
[illegible] de quo [illegible] [illegible]

de [illegible] q [illegible] [illegible] [illegible]
[illegible] [illegible] q [illegible] [illegible]

de [illegible] glo [illegible] si dicas hoc [illegible] de
[illegible] mandato [illegible] [illegible] q [illegible]
[illegible] si no sit absolutus ad caute
lam ut [illegible] In [illegible] [illegible] et
[illegible] si no sit ligatus no [illegible]
regularis [illegible] si [illegible] [illegible] se [illegible]
de hoc absolucione ad cautelam dicta
[illegible] [illegible] Innoc [illegible] ubi [illegible]
no [illegible] de absolucione [illegible] de quadam absolucione
[illegible] ut ubi possunt [illegible]
[illegible] absolui [illegible] ut
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible]

[illegible] ubi [illegible] [illegible] ut si
[illegible] [illegible] de [illegible] no [illegible]
[illegible] de possessione [illegible] q
[illegible] auditor [illegible] [illegible]
[illegible] [illegible] [illegible] no
[illegible] [illegible] [illegible] q no [illegible]
[illegible] se de [illegible] [illegible] remanet
[illegible] [illegible] [illegible] [illegible]
quo [illegible] a quo [illegible] [illegible]
[illegible] [illegible] ad se [illegible] [illegible]
[illegible] de [illegible] [illegible] ubi [illegible]
[illegible] beneficii [illegible] [illegible] ad se [illegible]
et q [illegible] [illegible] de [illegible] ubi
beneficialis [illegible] [illegible]
[illegible] [illegible] [illegible] ubi
[illegible] [illegible] ut quadam [illegible]
[illegible] [illegible] nouo mandato [illegible] ubi
aliud no requirere [illegible] [illegible] ubi [illegible]
[illegible] [illegible] q [illegible] beneficii
hoc [illegible] [illegible] [illegible] in [illegible]
no [illegible] q intelligatur [illegible]
[illegible] [illegible] et [illegible] hoc [illegible]
[illegible] [illegible] [illegible] beneficii
[illegible] de q [illegible] [illegible] q succedit
[illegible] auditoris [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
agatur [illegible] [illegible] ubi [illegible]
[illegible] [illegible] [illegible] [illegible]
ut [illegible] de [illegible] Archi [illegible]
Innoc [illegible] [illegible] hoc [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible]

[illegible]

... et plenius ... [illegible]

[illegible]

Casus ... [illegible]

... [illegible]

Casus ... [illegible]

... [illegible]

[illegible]

[illegible]

[illegible] appo[illegible] ad [illegible] et [illegible] apposuit et
[illegible] Sed [illegible] absolui [illegible]
[illegible]
[illegible] non [illegible]
de re [illegible] non [illegible]
[illegible] absolui [illegible]
[illegible] et de [illegible]
[illegible] in [illegible] non [illegible]
[illegible] intelligitur [illegible]
[illegible] actibus [illegible]
citari [illegible] de [illegible] et
[illegible] debuit citari
[illegible] ad [illegible]
[illegible] quedam [illegible] supplicari
et [illegible] et [illegible]
[illegible] citari [illegible]
[illegible] mora [illegible]
[illegible]
[illegible] absolui adversarius
[illegible]
[illegible] maiori [illegible]
[illegible] modum [illegible] ut [illegible]
[illegible]
[illegible]
absolui [illegible]
[illegible] ubi [illegible]
[illegible] non [illegible] appellans [illegible]
[illegible] ut debuit et [illegible] testamento
et [illegible] ad [illegible]
[illegible] adversarius [illegible]
[illegible] aliquando [illegible]
[illegible]
[illegible]
non [illegible] supplicatio non [illegible]
appellatio [illegible] recusacio [illegible]
[illegible]
[illegible] appellationes frustratorie
[illegible] absolui
[illegible] adverte [illegible] non [illegible]
[illegible] non [illegible]
[illegible] appellatio [illegible]
[illegible] tardi [illegible]
[illegible] appellans
[illegible] ad [illegible]
ut [illegible] intelligendum
[illegible] appellatus alii et melius
[illegible] appellatus [illegible]

[illegible] appellationem [illegible] appellationem est ad [illegible]
supplicatione [illegible] supplicationes [illegible]
[illegible] et [illegible]
[illegible] non [illegible]
[illegible]
[illegible]
[illegible] in camera [illegible] in [illegible]
maiori [illegible] tribunali [illegible]
ubi [illegible] alias [illegible]
et [illegible] adversarius [illegible] fieri est in
camera et in [illegible] non [illegible]
de [illegible] clericis [illegible] et
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] Jnglo [illegible]
[illegible] et [illegible]
[illegible]
[illegible] Jnglo [illegible]
platea [illegible]
[illegible] in materia [illegible]
[illegible] regula [illegible]
appellationes [illegible] non [illegible]
[illegible] et appellatio non [illegible]
[illegible]
de [illegible]
[illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible] et ubi non [illegible]
[illegible] ubi [illegible]
[illegible] non [illegible]
[illegible]
et [illegible] defendere [illegible] quedam [illegible]
qui [illegible] penas [illegible]
[illegible] materia non [illegible] qui [illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible]
non [illegible] de [illegible]
[illegible]
[illegible]
[illegible]

ecc.e 4. de fidelibus c. ii. dummodo non
esset minimum detrimentum eccl.e et de
electionibus ut ex. de electione Cotidie ... et
onus procedat in negocio quod est super ... aliquo
... quod in matrimonio ... absoluta de sen.
exco. facere. Item quod appellationi non est deferendum adver-
sus impedimentum ... c. admittas. Item quod
index a quo interdicit ... appellatur
... c. ... et c. cum sit. Innocentius ...
... de sen. exco. constitutiones et requirunt
citatio que ... non fiet ... abbate ... appellatur
... quam ... sed ignorantia non est ...
... requiritur citatio et requiritur ... appellatur
... quod ... non ... quam
... sed ... delicti ...
... non in ... non requiritur monitio ...
... quam ... sequens ... Innocentius in
... alios ... notos de sen. exco. ...
... Innocentius ... in quibus ipso iure quis
incurrit ... excommunicationis ...
notos de sen. exco. ... alios ...
incurrit ... constitutiones ... notos in
cle. 1. de sen. exco. s. c. adijcit

Appellatio a una et a alius
romanus subiectus ...
... aliquo ... ante ... et ... post ter-
minum ... suspensionem ... debet ...
... forte suspensionis
Innocentius in ... eum ... de ... dicit s. c.

Si ... adrespondenciam moris
appellationis ... terminus ...
... et ... prorogandum
... de ... successum
... decisum ... in uno ... contra
... cum ... appellationi cui non credit deferre
... de ... non respondit ... utrum
... non sufficit ...
... contra ... cum glo. ...
... de termino ...
... intelligatur de termino ... et c. cum
... decidit cum
... et de ... c. li.
... quod ... appellatio ... videbatur suspensione

... Innocentius quod ... aliquibus ... in ...
... Nota quod ... residere ... non ...
... quod appellationi frustratorie non est deferendum
... quod ... c. cum appel-
... et intelligit ... quod ... est differentia
... ut ... quod non ... potius
... ad supplicationem. Innocentius in
... et ... mandatum quod habebat ... diffinitive
... diffinitiva prius mandare potest ... diffinitiva
... appellatio ... ut debuit ... ab
... mandatum ... diffinitiva ... non de
... de ... c. de ... libere
... non solum quod si fiat ... non ...
... et ... omnes ...
... c. ... Innocentius ...
... est ... quod appellatio ... solum ...
... solum ... debitum de ...
... non ... quod admittitur
... legis ... Item ...
... appellationis ... appellationi ...
... ad ... quam ... cum
... quod ille ... sequens ...
... negligens ... quod ille ...
... alteri ...
... etiam ... licuisse
... admittebantur appellationes frustratorie ...
... ut debuit ... ne ... fraudetur
debito et ... alternative ... dubio ...
esse ... libertatis ... appellatio ...
... appellationi ... sequeretur neglectus ...
quibus non definiretur s. c. ...

Breue est et ... non
... de ... et
secundum duos intellectus ... quod ... appellabat
... iudicis qui ... appellabant ad ...
... Alter ... de mandato
... appellabat et iudici ... appellationem
appellabant s. c. adijcit

... notitia
... appellationis
appellationis ... ne ... procedat ... post
... decisum ... et
... fieri ... et ... appellationis ... appellatum
et ... suggestum et c. ... s. c. dispon.

cum non defert appellationi interpositae ad ipsum ut dicto ordinario sui
mittit ad ipsum praesentatus in
desistit que si enormitates appellaverunt secundo iudicium
quia deberet dicere apud appellatur ut dicit quod appellatione
erat a priore quod mandaverat quod non reuelaretur
contractus relictus ut dicit ut dicitur in antiquis quod per
ferunt apud ipsum usque ad terminum et appellatione re
mittere scilicet de processu sicut per parte quod constat
ut // Item quia exceptio non audiatur appellatione
receptis sicut ut dixi in textu ut dicit ut dicit
prima glossa super c. quia
Item sicut ut dicit textum
publice et publico et infamia
singulis ubi de hoc et sic per speciale in regulis
vel est quod sola infamiam reputatur singulis
ubi in singulis male. glossa quod hic dicit
processit illam. Et ideo circa c. littera quod legitur
de consuetudine quamquam regulariter quod si aliquis
petitur mobilibus plane in capitulo absque petere
sigillum appellanti in capitulo et patet quod credunt
quod si non fecerit ipso iure quod in uariis et sic appellatur
consuetudine inducitur aliud speciale quod in processu fit
in uariis non suspensio quod non obstat de re
admonendum quod quia quod si consensus et dicit hoc tamen
consuetudine vigere in ordine praedicatorum minorum et
certius super c. adamus

Item nota quod ipso commutare singulis
in sic ista parte. Item in dubio sic
cum se et sua apostolice protectioni
submittit hoc appellatio verum
non exprimat mittere appellari primo paragrapho sic
narratio in iudicio dato illi hoc dicit est dicit
quod ex hoc quod tamen submissionis ipso in ipsum
processu ideo quod non refert quod de aequipollent
verbis fiat de te mentio et illa non
sic quod innouata post appellationem non tenet in eo
solum ibi. singulis argumentum quod in dicitur
requiritur litteraria sub apostolice sedis protectione
receptio et alia c. dictis sic quod non exprimitur
ut in c. ex parte de spiritu c. i. sicut ibi
requiritur verbalis submissio verbo et ipse
c. dictis submitteretur et ista hoc tum appellatio
et de hoc c. lit. ex op quod in appellatione
de fratri debitis ordine et iure traditis
quia c. ut debitis et c. cordi ibi. ex quo
verbum quis submittit se uerbo et litteris
tamen et ibi hoc tum appellatio quod ea exprimit
ut quaestio valeat ut communiter ipse hic dato
quod non appellatio verbum appello per inferens
appellationis sic submitteret se in ea expressa

non apparet effectum appellationis et est si hic
submissio non habet vim appellationis adhuc
non tenet sententia quod lata fuerit sub te
cognitione et de spiritu et interlocutionem
iudicis vel placita et vel deinceps si dicit
iudex in q. ol. quod difficultas ut dicit super in alia
quis submittit se protectioni sedis apostolicae
in iudicio et ea expressa et tunc apparet
effectum appellationis. Si vero secundo iudicium non
apparet effectum appellationis in relatio quod uanitate
secundum dicas de appellatione clausula c. bone et
non dicebat hoc clausula tamen submissionis
hic unde effectum quod appellatione possit esse
ipsum quis se submittit in forma praesentia
dicendo esse superior illius a quo. Et op[illegible]
actio hinc huiusmodi in mutuum quod si processu
fuisset de te cognitione tenuisset quod tempus
verum ut ab se c. bone. Ex quo dicit aliquis
quod hic valeat argumentum actio in verbo
quod mutabis magis apparet hic submissio
vel clausula appellatio effectum antiquius
post adeptionem ut post relationem quod ut sic
intelligitur c. bone hoc dicit intelligitur
dicit quod si fiat in iudicio verbo hoc sub
missio apparet effectum appellationis intentionalis
si fiat secundo iudicium apparet effectum appellationis
clausula super c. decrevimus cum

Item remittit appellatio
adiudicare a quo nisi sic
sententia non dicimus sicut in illis apposita hoc
cap. de c. ad reprimendum de cap. et
de spiritu et praesens. Et non remittitur
ut cognoscatur de eodem appellatione sed hic
remittitur ut absoluatur ab eo
op. n. de c. ut debitis q. c. et c. cordi
hic. Et appellatio legitime non remittitur
si appellationis fruste non ut et ille
hic sic // op. de c. sicut inferius de
exceptione. Et aliud intelligitur sicut istud
quod partes consenserint sicut c. praesentis cum
dele. cum appellatione verbo
super sic se inspicere
certis consensus ut est ut lata ea
fuerit adiudices non dicit quod quando dele-
gata a quocumque sicut quod alter quod ipse
possit delegare appellationis verbo eadem
quod per illos in alio recipitur si non
recipitur parte sedes quod est placet

procedit in ea scilicet in q. si. c. i. l. vi. Et hoc dicit
quia appellatio et recusatio pari passu ambulant
ut c. super eo. Reddita quoque appellatione videbatur recu-
satio recusatio quoque vicem defendere quia aliud fu-
dat appellationis aliud recusationis ut dicit Innocentius
in speciali et forte hec causa posset esse
assignari ut dicit in c. pastoralis et c. ut debitus
¶ Quid si pluries impetrat quia sufficienter
a recusatione suspensionis partis recuperata
quia dixi de eo dictum insinuatur et dicit
quod dicitur c. procedere quando ad arbitrium
iudicis quia possessio [illegible] imperium [illegible]
[illegible] esse verisimile quod movetur affectione [illegible]
nali ¶ Quid si allegatur causa recusa-
tionis et non quia illa causa arbitrio suo a-
[illegible] sufficit dicit quod quod sic quod hoc
in specie quia debet exprimi causa vera et alias
[illegible] quod sequitur sicut de appellatione dicitur s.
eadem. Et appellatum in c. Inglo. a. vel si ver-
ba [illegible] sed duo dicit hec quod [illegible]
in fine de eadem materia argumento
ad non esse tantam suspicionis dicitur esse
derari an defendit ab eodem sapientia
ad et quia hec gravari an sit iusta
causa recusationis vel non. Et ubi removetur
vide supra de teste [illegible] si quis
[illegible] interdictum non
suspenditur ut quia appellatio sequitur
quod [illegible] [illegible] et [illegible] in primo
ubi [illegible] interdicto [illegible] gravamen
et [illegible] et [illegible] dicit
quia appellatio suspendit actum a quo interponitur
[illegible] [illegible] [illegible] quia [illegible]
[illegible] et interdicti [illegible] [illegible]
[illegible] in c. pastoralis quod hoc colligitur quia [illegible]
[illegible] quod sententia interdicti [illegible] excommunicatio
[illegible] de sententia excommunicationis c. [illegible]
[illegible] sed [illegible] in excommunicatione suspensione
et interdictum [illegible] [illegible] [illegible]
[illegible] [illegible] suspenditur quia appellatio
sequitur. [illegible] quia in utroque requiritur
monitio. Procedens [illegible] interdictum
ab officio vel beneficio [illegible] [illegible]
[illegible] [illegible] quod intelligitur [illegible]
[illegible] [illegible] ut in glossa [illegible]

[illegible] quo cum procedens monitio de causa [illegible]
[illegible] sed [illegible] quia utroque [illegible]
et utrumque celebrationi [illegible] eadem pena
s. de [illegible] [illegible] c. [illegible] et in [illegible]
quia utroque absolutio cum [illegible] [illegible]
[illegible] quia [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] videlicet [illegible]
[illegible] de sententia excommunicationis c. i. In aliis autem suspen-
sio [illegible] [illegible] [illegible] [illegible]
[illegible] de [illegible] suspensione c. [illegible] in aliis
suspensionibus [illegible] sit [illegible] et [illegible] quod dicitur
[illegible] [illegible] intelligitur de suspensione ab
officio et beneficio vel officio tantum vel [illegible]
et hec vera [illegible] suspensio vel interdictum
sit ab officio [illegible] [illegible] si [illegible] fuerit
[illegible] procedens monitio cum in eodem capitulo
sit [illegible] suspensio [illegible] [illegible] pena
[illegible] suspensio [illegible] ab officio et beneficio
ut l. [illegible] de [illegible] et c. [illegible] et c. [illegible]
[illegible] [illegible] ad [illegible] [illegible]
in [illegible] [illegible] celebratio [illegible]
[illegible] [illegible] [illegible] ad mortem suspenditur
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] suspensio
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] officio sacerdotali de [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] appellatio [illegible] procedens [illegible]
[illegible] [illegible] interdictum [illegible]
[illegible] appellatio sequitur [illegible] [illegible]
[illegible] Inglo. a. [illegible]
[illegible] et in [illegible] [illegible]
[illegible] [illegible] quod suspenditur
interdictum [illegible] tres dies [illegible]
[illegible] tres dies [illegible] celebrari et [illegible]
[illegible] interdictum [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] procedens appellatio
impediens ut hic et c. [illegible] de sententia excommunicationis

[illegible] [illegible] [illegible] [illegible] suspensionis

interdictum

et c. sol. de l. vi. Ex si dicas antiquum tur [illegible] ... [illegible]

[illegible] ... non posset differre actus [illegible] ... non posset suspendi [illegible] ... alius [illegible]

[illegible] ... et propterea ab illo appellatur et suspe[n]di actus [illegible] executionis [illegible] ... et passio [illegible] ... de sen. ex. libro vi. ... et intelligit [illegible] interdictum [illegible] modum executionis [illegible] appellatur [illegible] ... interdictum [illegible] suspensione et [illegible] modum executionis [illegible] ...

[illegible] ... appellaret a prima [illegible] ... Sic nunc [illegible] interdictum posset suspendi et relaxari [illegible] ... de interdicto [illegible] ... de sen. ex. [illegible] libro vi. Item [illegible] ... interdictum posset suspendi [illegible] ... et [illegible] ... interdictum et [illegible] executio [illegible] ... interdictum [illegible] ... tutor [illegible] ... tutor [illegible] ... nova tutela [illegible] ...

appellari [illegible] interdictum [illegible] ... appellatur [illegible] ... interdictum [illegible] ... executio [illegible] ... executio [illegible] ... obstaculo [illegible] ... suspensione interdicti [illegible] interdictum [illegible] ... appellari [illegible] ... ad appellandum [illegible] ...

Judex appellatione remota [illegible]
[illegible] ...

[illegible] ... appellantis [illegible] ... remedio appellationis [illegible] ...

Glosa [illegible] ... appellatur [illegible] ...

eius exprimere. Quod si ... c. ... impingebatur nomine idem dicit quod si hec causa appellationis frustratorie reprobabatur a iudice ad quem si a iudice a quo non reprobabatur nisi esset manifesta frustratoria. Set pone si ... quod in ... appellans non tollit ... [illegible] ... c. ... et c. cum inferior de ma[iori] et obe[dientia] ... [illegible] ... quod non admittatur appellatio ... [illegible] ... remissoriis ... hec ... [illegible] ... dicte.

Si appellans qui non fuit prosecutus in termino reducit ad iudicem primum ... [illegible] ... appellationis ... [illegible] ... forte agendo ... [illegible] ... non est ... appellationis ... [illegible] ... a iure ... [illegible] ... deserte appellationis ... [illegible] ... de ... [illegible] ... appellans ... [illegible] ... desertam appellationem ... [illegible] ... appellans ... [illegible] ... non reducit ... [illegible] ... appellans ... [illegible] ... non ... [illegible] ... quod deserta sit appellatio non repellitur ... [illegible] ... appellans ... [illegible] ... appellans ... [illegible] ... non ... [illegible] ... appellans ... [illegible] ... deserta appellatio ... [illegible] ... appellationis ... [illegible] ... deserta ... [illegible] ... appellationis ... [illegible] ... non ... [illegible] ... non admittit ... [illegible] ...

... [illegible] ... ab eadem parte non appellationis ... [illegible] ... ab ambabus appellationibus ... [illegible] ... quod ... appellationis ... [illegible] ... non ... [illegible] ...

Quod ... [illegible] ... appellationis ... [illegible] ... non ... [illegible] ... appellationis ... [illegible] ... non ... [illegible] ... non ... [illegible] ... appellationis ... [illegible] ... non ... [illegible] ... appellans ... [illegible] ... appellationis ... [illegible] ...

si in alius dies conventionis termini quare addere placitos non
quod si dies placitus non erat ... addere conventionis
erat lata ... est in eventu conventionis statim
... quod intra ... si malus ... rescriptum
conditionis licet non fiat executio sed dicere
dictionis purificatam conditione non est ... quo
ad effectum ... executionis si quantum
ad dissolvendum negotium ... de ...
... gli ... et ... contrahentium
... quod est in alius ... dies
dictionis purificate ... fuit ... non ...
... tempus ... et ...
quod ... capere ... decedit ... dies
... ad ... medio ... si ...
dies ... de ... quod consultationis ...
... placitus et dies ...
... medium
quo ... intelligere medium eque ...
momentaneum aut intelligitur medium ... aut
intelligere totum tempus medium ... inter prima et ...
... appellatur ... non inter ...
momentum ... si medio de medio ...
tempore ... non ... si
esset lata ... dies si intelligere de
toto tempore ... sed ...
... et ... non ...
... legitima ... appellatione ... in ...
... et est ... illud ... in
... et si dies ... medii
... appellatio ... sufficere
... sufficere ... quod si fuit dies ...
data ... conditione et si non ... usque ad
... dies ... appellatione ... si appellat
... dies ... dies ... sufficere
si si lapso ... conditione quod non fuit
... impedimentum ... dies ...
dies ... placitus ...
in ... quod ... conditionis dies
placitus transactum addere conditionis non ...
... quod si ... dicit ... si appellatio
... ad ... non
... appellatione ... dicit
si appellatio ... in ... dicit si appellatio
... quod si
... ... de ...

si ... dicit ... si ... item
... si ... item ... non ... et ... quod ...
in ... si dictum ... quod ... si ...
dicit ... te si eligens item ... si non eligit
item dicit quidam ... et ... quod si
... de ... obliga ...
... alius ... et ... electionem ... in
... sed ... procedit ... tenere electionem
non ligatur ... si ... aliena
... fuerit ... si ... conditione ... de ...
... ... quod ...
... electionem ... in ...
procedere impedit ... et ... si ... est
... quod eligentes ... de ...
... quod ... non ... et
... de ... de ...
... si ... si ...
... si electio si ... proditione
... quod ... in ... consultatione
de ... de ... quod ... in ...
... et ...
... quod ... in ...
... in ... de ...
... non tenere ... de ... quod ...
... in ... obedientia
... et ... de ...
... ad ... dies
... electio non valuit ... si
... alias ... si ... quod aliud
in ... quod ... sufficit ...
mala voluntas et in obedientia et si
non ... et ... quod ... in
... malus autem ...
... et ... fuit restituto quod fuit
... de ... in ...
... electio ... in ... obedientia
... quod ... in ...
... in ... fuit
... si dicitur ... te quod eligisti ...
quod eligere et ... de
... quod si ... dicit
... te ... si non ... dies quod
... si dicit ... et
... quod ... et ...
... et ... conditionis
... conditionis ... purificate ...
... de ... in ...

... conditione ... quod ...
conditione non ... et ... in ...
et ... conditionis ... placitus ...
... de ... quod ... quod ...
... conditionis principii de ... et ...
... et ...

q̄ act[illegible] pendēs [illegible] cōdicōis [illegible] [illegible]
purificata cōdicōe [illegible] de [illegible] [illegible]
et [illegible] [illegible] debet [illegible] q̄ [illegible] cōdicō
mali ff de [illegible] l. [illegible] [illegible] dic ut
[illegible] non [illegible] [illegible] in quo [illegible] et
[illegible] [illegible] [illegible] ad [illegible] [illegible]
[illegible] [illegible] [illegible] romanus
sub [illegible] et [illegible] [illegible] alios territo
rio de [illegible] [illegible] ut dic q̄ matu
rio [illegible] [illegible] [illegible] [illegible] cōdicōe
[illegible] [illegible] [illegible] et [illegible]
de [illegible] iudicare a quo [illegible] non [illegible]
[illegible] [illegible] non [illegible] iudice [illegible]
ex quo [illegible] [illegible] [illegible]
[illegible] [illegible] ut dixi [illegible]
[illegible] [illegible] in cōdicō [illegible] [illegible]
[illegible]

[illegible] [illegible] [illegible] tutor sub cōdicōe et
[illegible] ad [illegible] [illegible] currit a die purifica
cōdicōis [illegible] dic [illegible] [illegible] [illegible]
iudiciaria q̄ [illegible] in [illegible] ut non
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] currit solū a die
purificate cōdicōis et [illegible] [illegible] [illegible]
[illegible] non [illegible] nisi purificata cōdicōe
ut [illegible] ff de [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] a die late
[illegible] a die purificate cōdicōis [illegible]
[illegible] [illegible] contractu [illegible] de [illegible]
[illegible] [illegible] q̄ currit [illegible] a die quo
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] q̄ [illegible] et [illegible]
[illegible] contractu currit [illegible] die late
[illegible]

[illegible] q̄ [illegible] suspectum [illegible]
[illegible] ut [illegible] satisfactione
ff [illegible] et [illegible] ff [illegible]
[illegible] verba [illegible]
[illegible] no [illegible]
[illegible]
[illegible]
[illegible] satisfactio
[illegible] et
[illegible] no [illegible]

[illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible]
[illegible] arbitris [illegible]
et [illegible]
[illegible] et [illegible]
[illegible]
[illegible]
no [illegible] ut [illegible]
[illegible] no [illegible]
[illegible] ut [illegible] ut [illegible] no [illegible]
[illegible]
[illegible]
[illegible]
[illegible] no [illegible]
[illegible] no [illegible] arbitri
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible] videlicet [illegible]
[illegible] no [illegible]
[illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible]
[illegible] et [illegible]
[illegible] no [illegible]

[illegible] ff [illegible] et [illegible]
[illegible] et [illegible]

[illegible]
[illegible]
[illegible] delegata [illegible]
[illegible]
[illegible] ut [illegible]
[illegible]
[illegible] et [illegible]
[illegible] no
[illegible]
[illegible]
[illegible] et ut [illegible]
no [illegible]
[illegible]
[illegible] verbis [illegible]
[illegible] et [illegible]
[illegible]
leges [illegible] et [illegible]
[illegible] et [illegible]
leges [illegible] leges ut
[illegible] leges ff de leg [illegible]
[illegible] no [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] ut [illegible]
[illegible]
[illegible] et [illegible]
et no [illegible]
[illegible] et [illegible]
[illegible] no [illegible]
[illegible]
[illegible]
[illegible] no [illegible]
[illegible] no [illegible] et [illegible]
[illegible]
[illegible]
[illegible] testes [illegible]
[illegible] arbitris [illegible] no
[illegible]
[illegible] no [illegible]

prejudiciale dicat tamen ibi judicio pendente delegati p. c. ut dixi = Quid si del. subdelegavit cum recusabilis dicitur quod cum subdel. procedat contra mo[n]itus opponitur [illegible] recusationis contra delictum in eo tantum subdelegaverit, [illegible] ubi ordinarius delegavit ut not. in de off. del. super quom. [illegible] = Quid si iudex del. recusabilis [illegible] causam non mutatur subdel. procedit et [illegible] velit appellare [illegible] appellat et [illegible] quod ad delegatum quod non [illegible] mutatum [illegible] a subdeleg. de off. del. [illegible] quod non negatur [illegible] delegati licet possit recusari et [illegible] ut c. iudex [illegible] c. ti. [illegible] non [illegible] appellari [illegible] del. [illegible] c. ti. [illegible] iudex [illegible] recusatio manet iudex [illegible] appellandum ad [illegible] et si del. [illegible] tamen recusabilis et apponitur [illegible] tamen recusabilis et appellatio ad eum [illegible] exceptio recusationis et appellatio [illegible] generare [illegible] et recusatur [illegible] ad generare [illegible] At illa equitas [illegible] a subdeleg. = Quid si ordinarius delegavit et del. [illegible] [illegible] tempus quo opponitur [illegible] recusatio non [illegible] quod [illegible] delicto recusatio [illegible] ordinario [illegible] subdelegaret [illegible] quod [illegible] iudex [illegible] ordinarius [illegible] iudex = Quis cognoscit de negocio [illegible] recusationis [illegible] iudex [illegible] quod arbiter recognoscet [illegible] arbiter [illegible] cognoscat de ea [illegible] quod arbiter [illegible] a lege [illegible] de off. del. [illegible] et [illegible] audire [illegible] corrumpere [illegible] iudex appellationis [illegible] iudex appellatum [illegible] potero [illegible] appellatio non [illegible] quod appellatio non devolvit [illegible] non [illegible] iudex de qua non fuit [illegible] appellationis [illegible] iudex [illegible] recusatio [illegible] possit appellare [illegible] requiritur tamen [illegible] [illegible] [illegible] ut [illegible] [illegible] [illegible] c. ti. et [illegible] ut [illegible] [illegible] iudex de [illegible] negligentia [illegible] iudex [illegible] [illegible] [illegible] et [illegible] requisitus [illegible] non [illegible] ad [illegible] appellationis

[illegible] appellatio [illegible] quod non [illegible] quod [illegible] et [illegible] fuerit [illegible] ut not. [illegible] dicto = [illegible] iudex [illegible] recusatio [illegible] not. quod [illegible] de off. del. [illegible] et ibi [illegible] [illegible] quod [illegible] non [illegible] c. ti. [illegible] in quibus [illegible] iudex [illegible] ad [illegible] [illegible] arbitrio iudicis [illegible] iudex [illegible] arbitros [illegible] recusans qui potest eligi arbitros [illegible] [illegible] tenere [illegible] appellans [illegible] iudice [illegible] loca [illegible] ubi [illegible] recusationis non [illegible] de [illegible] = [illegible] de off. del. iudex [illegible] [illegible] [illegible] non [illegible] [illegible] adversarii non detulit [illegible] [illegible] appellans [illegible] appellationis [illegible] adver [illegible] non detulit [illegible] appellationi [illegible] quod non detulit appellationi adversarii ut [illegible] [illegible] de appellationibus [illegible] quod [illegible] non [illegible] [illegible] appellationi [illegible] quod [illegible] [illegible] [illegible] [illegible] quod [illegible] ut quod [illegible] appellationis [illegible] non [illegible] appellationis [illegible] [illegible] [illegible] [illegible] appellat [illegible] [illegible] [illegible] [illegible] [illegible] c. ti. [illegible] ut [illegible] appellationis [illegible] c. ti. [illegible] non [illegible] ut [illegible] et [illegible] aliqui [illegible] appellationes [illegible] de quibus [illegible] c. [illegible] [illegible] non appellationis [illegible] quod [illegible] appellatio [illegible] de app. [illegible] [illegible] [illegible] tamen

[illegible]

[illegible]

pro m[atrimoni]o petitur p[ro]p[ri]e t[ame]n ante de iudice [illegible]
collectis q[uod] gen[er]al[ite]r l[oquitu]r de actis, exceptio [illegible]
exceptio aut[em] facta an[te] lite[m] cont[estatam] [illegible]
iudicis [illegible] et militare potius [illegible]
ff si quis ius dicenti non obtemp[er]auerit l[ege] [illegible] et
l[ege] iudex i[n] [illegible] [illegible] i[n] exceptio non
[illegible] [illegible] quecumq[ue] est si p[er] reo
fer[illegible] [illegible] i[n] exceptio frustratorie [illegible]
[illegible] [illegible] [illegible] [illegible] et an[te] lite[m]
cont[estatam] et [illegible] et [illegible] [illegible] i[n] [illegible] et plus [illegible]
q[uod] si an[te] lite[m] cont[estatam] [illegible] fuerit exceptio
dilatoria et iudex [illegible] [illegible] de [illegible]
non obstante exceptione et [illegible] [illegible] de [illegible]
[illegible] t[ame]n q[ua]cumq[ue] parte [illegible] i[n] exceptio
[illegible] [illegible] [illegible] app[ellation]e [illegible] et [illegible]
[illegible] exceptio fuit [illegible] [illegible] interlocutio
[illegible] aliqua non fuit app[ella]tu[m] [illegible] [illegible]
t[ransi]uit i[n] re[m] iudicata[m] [illegible] [illegible] [illegible]
app[ellatio]n[e] non [illegible] [illegible] [illegible] [illegible] cum [illegible]
i[n] [illegible] non [illegible] noua [illegible] [illegible] [illegible]
[illegible] ff q[uod] m[illegible] [illegible] [illegible] [illegible] cu[m] [illegible] q[uod]
aliu[m] nisi [illegible] [illegible] i[n] [illegible]
nisi [illegible] [illegible] p[ro]babiliter [illegible]
ff [illegible] [illegible] l[ege] qui [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] interlocutio [illegible]
[illegible] ff de re iudi[cata] l[ege] q[uod] iussit et [illegible]
[illegible] [illegible] [illegible] [illegible] t[ransi]uit i[n] re[m]
iudicata[m] et intelligit[ur] est [illegible] q[uod] [illegible]
et i[n] exceptio[n]e [illegible] [illegible] [illegible] q[uod] iudex
[illegible] [illegible] [illegible] iudex [illegible] q[uod] i[n]
[illegible] [illegible] et [illegible] i[n] [illegible] [illegible] [illegible]
de exceptio[n]e q[ue] fuit [illegible] [illegible] debebit [illegible]
[illegible] [illegible] [illegible] possit [illegible] [illegible]
[illegible] q[uod] si [illegible] [illegible] non obstante [illegible]
[illegible] friuolis [illegible] [illegible] parte [illegible]
q[uod] illa [illegible] t[ransi]uit i[n] re[m] iudicata[m] et [illegible]
istud [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ad [illegible] [illegible]
[illegible] l[ege] terminato [illegible] [illegible] [illegible] [illegible]
l[ege] [illegible] i[n] [illegible] [illegible] [illegible]
[illegible] [illegible] legitimo non [illegible]
[illegible] de i[m]pedimento [illegible] [illegible]
[illegible] [illegible] et [illegible] narratio [illegible]
[illegible] et p[re]missis [illegible] intellectus [illegible] [illegible]
[illegible] [illegible] p[re]missorum [illegible] isti parte

retinuerunt [illegible] sua ut [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] q[uod] elige[re] [illegible]
[illegible] et [illegible] eligerent [illegible] [illegible]
diaco[nu]m [illegible] ut [illegible] de [illegible] [illegible]
[illegible] [illegible] de [illegible] [illegible] [illegible]
[illegible] legitimam [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
legato et [illegible] [illegible] [illegible] [illegible] [illegible]
legatu[m] [illegible] [illegible] [illegible] [illegible]
nisi aliud [illegible] [illegible] [illegible]
[illegible] [illegible] et si illi [illegible] non [illegible] [illegible]
[illegible] cu[m] [illegible] [illegible] deserta [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
a [illegible] [illegible] [illegible] non fuerit [illegible]
[illegible] ut [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] q[uod] [illegible] celebra
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] q[uod] [illegible] [illegible] non i[n]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] q[uod] [illegible] cognosc[illegible]
de app[ellation]e interposita [illegible] q[uod] [illegible]
i[n] app[ellation]e [illegible] [illegible] i[n] iudiciali
ut i[n] [illegible] [illegible] app[ellation]es [illegible] [illegible] [illegible]
[illegible] non [illegible] non impedito [illegible]
[illegible] non [illegible] celebrari [illegible]
[illegible] [illegible] p[re]missi et [illegible] [illegible] de
[illegible] q[uod] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
nisi [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] intellige [illegible] [illegible] [illegible]
[illegible] [illegible] p[re]missorum de [illegible] [illegible] [illegible]
et [illegible] [illegible] de [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] non [illegible] illa [illegible]
[illegible] [illegible] [illegible] et [illegible] de [illegible]
[illegible] [illegible] [illegible] [illegible] de quo ibi [illegible]
[illegible] de [illegible] [illegible] de [illegible] [illegible]
cu[m] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
q[uod] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et non [illegible]
[illegible] [illegible] q[uod] de [illegible] [illegible] non [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible] placuit de
[illegible] cu[m] [illegible] [illegible] [illegible] [illegible] [illegible]

ptem Jo. ab eo fuit appellatum et ipse dicit apostolos
quibus credi debuit A. c. r. in gl. c. cap. iii de
suppleti. quia ysta deus generavit g° non
debuit dari pro deo ex ysta Jo. accepit
hos quia pro una dedit ysta s[illegible] ecclesie
ecclesie que non ytenuit deum prebebat super[illegible]
de ecclesia londonensi in qua fuit absenti[illegible]
missarum electo unus plus comitis fere
pro qui parochie ecclesiam vicarie erat. [illegible]
[illegible] non turbato deum alter [illegible]
missarius voluit eligi nisi r[illegible] aliud
aliud [illegible] cap. [illegible] electo de [illegible] libe
ra de electione [illegible] et c. quia [illegible]
aut fuit restricta ad duas capellas [illegible]
restringere ad duas [illegible] tollitur
libertas capituli [illegible] capitulum restringit
[illegible] quod non [illegible] duo [illegible] de collegio
et voluit eligi de sua ecclesia [illegible] de alia
[illegible] electo [illegible] confirmatio [illegible] de elec. c. [illegible]
g° quod non debuit [illegible] confirmare Jo.
iste erat [illegible] non debuit [illegible]
[illegible] di de [illegible] et not. glo. [illegible]
[illegible] dicit ut [illegible] de elec. [illegible] cap. [illegible]
et [illegible] appellatio [illegible] non impedit actum [illegible]
[illegible] a. c. [illegible] confirmatio
g° Jo. dicitur aliquis quod [illegible] confirma
[illegible] in [illegible] dicit quod
[illegible] appellatio [illegible] frivolas [illegible]
non ob. [illegible] confirmatio [illegible] tenuit [illegible]
[illegible] quod [illegible] delatorum [illegible]
[illegible] appellatio [illegible]
ut A. c. [illegible] appellatio [illegible] g° [illegible]
[illegible] cap. [illegible] ista appellatio fuit interposita
[illegible] non sufficit actum [illegible]
[illegible] impediat [illegible] non debuit g°
confirmatio impediri [illegible] dicit aliquis
quod similiter [illegible] non impedi
[illegible] confirmatio [illegible] possessione [illegible]
[illegible] argumentum a [illegible]
Alii dicunt quod ysta non impediunt quia appellatio fuit
[illegible] si [illegible] legitima impedivisset
[illegible] possessionem Alii dicunt et [illegible]
non [illegible] quod si [illegible] appellatio [illegible]
[illegible] legitima [illegible] appellatio [illegible]
[illegible] legitima sufficit [illegible]
actum [illegible] appellatio [illegible]

[illegible] appellatio [illegible] devolvitur [illegible]
[illegible] non [illegible] actum [illegible]
~~[illegible] debitus [illegible]~~
~~[illegible] legitima [illegible]~~ [illegible]
[illegible] non impedivit [illegible] possessionis
quia [illegible] confirmatio [illegible] appellatio [illegible]
[illegible] appellatio [illegible] non [illegible]
[illegible] et [illegible] non [illegible]
[illegible] cognitum Jo. [illegible]
[illegible] plena [illegible] cognitione [illegible]
[illegible] dicit [illegible] ut de
electione [illegible] et not. [illegible] audientie
[illegible] cap. [illegible] appellatio sufficit [illegible]
[illegible] g° [illegible] audiri [illegible] confirmatio
non [illegible] Jo. [illegible]
[illegible] ut in iudiciali appellatione [illegible]
non sufficit actum [illegible] addit [illegible]
[illegible] et [illegible]
[illegible] A. c. [illegible]
[illegible] appellatione [illegible] confirmationem [illegible]
[illegible] confirmationem cap. [illegible] de
[illegible] A. de [illegible] Jo. [illegible]
[illegible] ut [illegible] si non
[illegible] non audiuntur cap. [illegible]
[illegible] aliquis [illegible]
[illegible] ad
[illegible] a dic [illegible]
possessionem [illegible] quominus
[illegible] confirmatus
[illegible] ut [illegible]
[illegible] ecclesie [illegible]
[illegible] primo [illegible]
si non [illegible] ingredi et [illegible]
[illegible] Restat aliquid [illegible]
[illegible] si [illegible] confirmatio [illegible]
[illegible] appellationis [illegible] confirmatio
[illegible] de elec. [illegible]
[illegible] non [illegible] audientie [illegible]
[illegible] appellationis interpo-
[illegible] confirmatio [illegible] dicit quod [illegible]
ut [illegible] de elec. [illegible] quod [illegible] appellatio
[illegible] non [illegible]
[illegible] ut [illegible]
de elec. [illegible] appellatio [illegible] de app.
[illegible] Alius [illegible] c. [illegible]
[illegible] possessio [illegible] in appellatione [illegible]
[illegible] beneficia [illegible]
[illegible] quod non [illegible] beneficia [illegible]
[illegible] de [illegible]
[illegible] non ob. quod [illegible] appellatio [illegible]

cognitori olim ... non [illegible] procurator de alieno
[illegible] ad hoc ut dicitur translatus
sufficit quod habet possessionem [illegible]
quia non dominus [illegible] qui dominus [illegible]
non intelligatur [illegible] precario
[illegible] non est [illegible] appellatione [illegible] non
[illegible] non [illegible]
[illegible] iudicis auctoritate [illegible]
[illegible] si autem non [illegible] appellatione
[illegible] possessionem [illegible]
[illegible] movebatur quod [illegible]
non [illegible]
[illegible] translatus [illegible]
[illegible] placuerit [illegible]
[illegible] retinet [illegible]
[illegible] defendit [illegible]
[illegible] possessionis
[illegible]
[illegible]
[illegible]
[illegible] crimine [illegible] non
[illegible]
non possit esse [illegible]
[illegible] non [illegible] possessionem [illegible]
[illegible]
[illegible]
[illegible]
et [illegible]
[illegible]
[illegible]
[illegible]
[illegible] canonici [illegible]
[illegible] et fructus [illegible] appellatione [illegible]
[illegible] legitimus [illegible]
[illegible]
non [illegible]
[illegible] non [illegible]
[illegible] ad quos [illegible]
[illegible]
[illegible] et [illegible]

[illegible] si [illegible] de fructibus
canonicatus non impediendus [illegible]
[illegible] si [illegible] superiore
[illegible] appellatione et [illegible] ad
[illegible] appellatione
[illegible] non possit ad absolutionem
[illegible]
[illegible] non [illegible] non [illegible]
[illegible] dicitur [illegible]
ut canonico [illegible] canonico [illegible]
[illegible]
[illegible] obediendum [illegible]
[illegible]
[illegible] non admittitur [illegible]
[illegible] et [illegible]
[illegible] non [illegible] canonicatum
[illegible] de [illegible]
[illegible] qui [illegible]
si [illegible] non [illegible] appellatione
[illegible] si autem [illegible] appellatione [illegible]
[illegible] appellatione [illegible]
[illegible]
non [illegible] ad quos
devoluta [illegible]
[illegible] non [illegible]
[illegible]
[illegible]
de [illegible]
si autem superior [illegible] de appellatione [illegible]
[illegible] alter [illegible] possessionem
[illegible] non [illegible]
si [illegible] defendit
[illegible] non [illegible] superior
[illegible] devolutum [illegible] ad
superiorem [illegible]
[illegible] possessionem
[illegible] appellatione [illegible]
[illegible] ad [illegible]
[illegible] possessionem [illegible] possessionem
[illegible] si autem [illegible]
[illegible] iudicium [illegible]
[illegible] non [illegible]

qr est si appellet in iudicio [illegible] ... pu[illegible]
effectu[illegible] de appellacione et [illegible]
[illegible] appellans absoluisse [illegible]
iudice [illegible] contrarius est [illegible]
[illegible]
[illegible]
[illegible] Jnglo [illegible]
[illegible]

[illegible] appellacione [illegible] possessione [illegible]
[illegible] Jnglo [illegible]
[illegible]

numquam possessio [illegible] appellacio [illegible]
[illegible] locus non cum [illegible]
[illegible] denegatoe
appellacione [illegible]
[illegible]
[illegible] appellacione [illegible] denegatoe
[illegible]
[illegible]

illo q'to locu tutu ptere qui cu gsperud
ratte e
de suspitioe iudicis appone p' q' ptr appti
vel et de suspitoe loci p' tn suspito
esse ratione no arcet, cu talo ut cle
pastoral i ver pp'ma de re iudi sepius
i c gebaci a c tn i o) d' q' hac ca
qn app' secretaru ad locu no tutu ut
ulu' duas dietas cetrclq'd no darz
hic p' spacie excepcois d' gof q'
p' gerat a pam citandis vera e q'o
p' ubi ind'x est cit'az ad talem locu
p' ubi mala ad ad vera p' q'o gof dla
hac ver a' e r ter parte q'o p'n vlt
appri a c cu edm p' et decisio vlly
nalog et de cog'na pud c p' ubi
interpone appo p' g' nda r'ilz
no morte q' apm fecit q' h hac
impedic ad docetur de maturis, iudices
et p' t' causa' p'ns ez vl'o q' podea
q' intordii' iudex citat ad locu no
tutu hoc exp'ssse et tut pro c piter
appe q' cutas gtem errore i tol
loc'l de pen ad parrcla dla iudex
citat ad locu nato no tutu no n'
exp'mit et tut est no artat citado
vlt tn e appl'n adversa da g'nalel
p'c dla appgt locu no tutu no
tn ratione p' exp'mit et tut aut qo
mi q' app' no valeo tnatur exp'sse
de loco no tuto et dicq no p' loc tuo
p' tutus p' et pius p' dez p' p'tere
tert hoc pat apud p' q' appe tela
alios dez exp'sse et no esse g'nalez
no tn dez pote tutu locu s'bi appgn
q' loco vbi iudice appg'de p' c.
Licite appellat reus
p' no audiat excepciones
gente actores vel ap'e suspitiue
vel p' t' simile, licz gnrm de
quibz no p' mcio i p'l obscuratur
ad ep'm eligere et g'udicios adg'os

p' declinii fauorij et p' eos gudices vel
p', i cauu ap' caso de inde excipiere
no q' li deme p' sigillari sigilla gg'lo
de p'ba ter'o sec. excepo p' cuif c di
latoria de p'cuif i m'd p' c p' sig.lz
Licz appell'nt reus q' no audivi
p'ces declarare vc m.h. p'sertur
p'a gnela app' n' iudicii dato et est dippi
vbi quo cu et pro gui de lal. ob sig.lz
et gui, m vbi p'te tractatur p' c exprimatur.

ut iter ampl' ede plac'ussit multi hoc eua dr
p' tanta glo et vera p'o pot gnela appe et no
tna p'e p'o dato iudicu vbi q' comun' nol
loci pfingat q' parte e e p' p'o falle et dicit
alig et vel fauebat p'g fandari p' procura
q' ei anterior multa q' dicat no ame no
currit q' q' cornis appellantis lacen pncipis
i no q' appello p't terminu pfingit app'ti
p' p'g de e. c. p'so sec q' inferior no p't lege
impone supiori vbi di inferior de ma et obe
eu inferior sec q' appello no p't pucite
terminu hora certu ut potui p' est app'
q' c oblare sec q' fraus et dolus sec q'
c vdco requirit acta vero iudex et
no a iudicii deducta de ver p'g foris sec
q' i ca app'lo dez exprimi qualitas indicat a quo
cuep e q' p' exprimatur non ordinarii p' p'n
app'are ordinaria p'sessio et no alia p'ud
qui agit nunc dicatos p' p'n dicta age
ut pp deliberari per b. m' n. q' aliquo pertez
ut dixi p' gof de ala lre et ibi vltia p'ssp
dm' q'licet fauebat ordianus camerario
eu vel beuuz termi'nu pertinuerit et ab ipo
est appellatum d' gof q' videbatur fauere si no
fauebat vel fauebat q' minus p'ut q'
no audiuz p'g q' et camerarius possidebat
ez sic appellat p' fauebat dic q' appellant ut
iudices videos imperitos et adversarios p'a
ingens laboris et expensis ut hac fuit q'
camerarius habebat dicet i cam ad expensas
nobis d' gof q' p'ter dict q' dicit q' locu
tu dt e p'nuald p'nripi salu q' i dicar
ct'no gof e de dla h eu nobis et ibi

erat ea plenissime instructa semper ad pri
cipem quia non recedebat nisi ferro dissolut[us] non
quod erat opus dilatione hic secus - arg. ij de c.
ut debitus § c. quia quoquo fraudulent[er] fuerit
hic impetrate videbatur remittere dues ad audire
a quo dicitur aliq. - q. iij hic fecit deg[ra]tauit
se fere pressus natorem erat quia non tenebat
hic iste dictus iudex ad q[uem] poterat pres[..]
q[uia] ei videbatur & delegare poterat ut
dic ut d[e] ultima glo = Jnglo 1. hic argumentum
probat hic 10 et in q. pro actu[..] terminum
Jnglo pte[..] ista licunt glo. e vera que hic
illo q[ui] p[ar]tem fuit app[ellan]dum qui pet. pet p[er]
uenire terminum nisi si appellatio non parit est
terminum nisi nimium pour redo q[uia] e ablatum
si terminum valet nature pro p[ar]tem ut ibi
hic g[..] le[..] de termino valet q[uia] illa etiam
varius appellatur et tamen non valent hic ad ipsum
impetratae quia terminus statutus ab hac a
parte q[ui]uis[..] pro [illegible] de legali
termino jn d[..] q[uia] p[er] sua[..] terminum fecit [..]audire
no[n] dictabat partes ubi h[..] & non erat de
eo parte fieri inter q[uod] [..] e at si non fuerit
statutus ff de actu tu b. n[..] d[..] pluries
licuit 10 dic si tex[tus] loqueretur de sententia
app[ellatio]nis si tex[tus] lo[quitur] de sententia appellationis si[..] e hoc

Qui cognoscit[..] scripserit ca[..] appellar[e]

ad se[..] ne i[n] sua [..]mo possessione
molestet[ur] si pius ea spoliatur restituitur
in statum quo erat tempore appellationis emisse p[..] [..]
[illegible] app[ellatio]nis et ipsius sta ij de app[ellatio]nibus ubi
[illegible] in ista primisse [..] pro hic primo [..]
ad quos [..] si de d[..] tenditos eleceruit
ex tunc eiusque electionis inceperint [..]
tamen ad p[ro]sequendam app[ellatio]nem ut i[n] c. statud q[uia] e ca
e[..] deci[..] g[..] [..] g[..] [..]debat ablatio
non audiendum [..] s[..] de ele [..]
fructus est [..] pe[..] [..] de rest. spo. [..]
[..] [..] custodie [..]
i[n] quibus e [..] [..] [..] se q[uia] [..]
tunc app[ellati]o [..] et i[n] terra [..] non [..]
q[uia] [..] [..] de [..] e [..] ibi
[..] - arg. q[uia] impediens [..] e[ius] de

ult[imu]m de[..] [..] ff de legi[..] non e[..] [..]
uel[..] app[ellatio] [..] pori de[..] [..] non [..]
[..] si pluries [..] app[ellatio]nis [..] q[uia] [..]
[..] app[ellati]o app[ellati]o [..] q. ij [..] de[..] [..]
app[ellatio]nis de quo q[uia] e dicto [..] q[ui]o app[ellatio]nis non
inducit recessum a p[ri]ma [..]

recessum a p[ri]ma ut q[uia] e dicto et ibi notat[ur] [..]
q[uia] non [..] [..] et e q. f[..] de rest. spo. [..]
in q[uia] e si iustus et d[..] [..] q[uia] posset esse [..]
[..] tempore app[ellatio]nis p[ro]sequende ut si non fuit de
uero m[od]o appellatum p[ri]mo - arg. ij ista fuit [..]
app[ellati]o & [..] o e t. ij [..] ipsud p[ro]cedit i[n]
iudicialibus si i[n] [..] app[ellati]o [..] et i[n]
certe quia [..] futura [..] q. non sit
certa et i[n] iudicio [..] appellatur nisi [..]
[..] q[uia] e certum - [..] q[uia] [..] q[uia] [..]
[..] non appellatur nisi [..] [..]
et obiectum sit certum [..] hic [..] appellatum
fuit ne turbaret[ur] in possessione [..] fuit [..]
certi [..] esse incertitudo [..] et ge
neralitas [..] [..] [..] q[uia] [..] [..]
non [..] q[uia] [..] [..] se in possessorio et
ille allegabat petitorium [..] e si [..]
Jn [..] [..] et si [..] [..] [..] tamen ab
[..] inueniebat possessorium [..] si [..]
[..] ut [..] [..] app[ellati]o [..] [..]
ut [..] e [..] [..] [..]
cum [..] non fuit [..] [..]
ut i[n] c. dicto de off. archi. - [..] ubi [..] i[n]
app[ellatio]nis [..] non [..] [..] [..] p[..]
[..] [..] de hoc [..] si a [..] parte e [..]
de [..] et [..] [..] et [..] de [..] cum [..]
et tamen [..] hic [..] facit [..] [..] q[uia] hic
appellando ne molestaretur [..] possessione
custodie et [..] fuit ea app[ellatio]nis nisi ne
molestetur [..] custodia [..] et hoc
deberet [..] i[n] [..] possessione [..] et [..] [..]
possessionem tempore app[ellatio]nis emisse et [..] [..]
possidet e[..] et sic fuit verificata ea app[ellatio]nis
et hoc [..] plus q[uia] id q[uia] requiritur [..]
q[uia] [..] quis appellat [..] [..] [..]
[..] [..] [..] si si app[ellati]o [..]

rõ^a et Ueritate cum renun^e et dn p^{os} [illegible]
[illegible] ut fuit [illegible] ut q^e dimitteo audi
uerat q^e [illegible] fecerz [illegible] qui
[illegible] ut at ferentur dictu idem i [illegible]
et hoc e [illegible] dicit inter appell^{es} iudiciale
et c(ontra)dictor^e q^e prima requirit cam [illegible]
i s^a suffic^e q^e sit [illegible] ij q. vj c. ij
et [illegible] [illegible] de [illegible]
i [illegible] [illegible] dicit i [illegible]
[illegible] q. sit fieri i iudicio q^e
interpositio [illegible] contradictum no e [illegible] quo [illegible]
[illegible] i petitione [illegible] quos
i iudicio [illegible] et [illegible]

[illegible]

metrop[olitanorum] [illegible] de pro[vinci]a et cessit de [illegible]
et hoc plus placet [illegible] sit [illegible] c. [illegible]
sit [illegible] de unis provinciis. Item [illegible]
hic q[uod] archi[episcopus] [illegible] custodia de unis
[illegible] hic [illegible] di[illegible]
de [illegible] archi[episcopi] cum [illegible] et c. adhec. Item
[illegible] dic [illegible] appellatio et ista [illegible]
referunt q[uod] [illegible] [illegible]
[illegible] et electos de [illegible]
[illegible] reperit [illegible] a quo [illegible] appella
[illegible] possedisse
et [illegible] possidere [illegible] c. dilecti

Si q[ui]s [illegible] quis [illegible]
ad [illegible] appellatione ita q[uod] [illegible]

[illegible] appellatione
in [illegible] cum [illegible] metropolitanum q[uod] [illegible]
[illegible] q[uod] non refert [illegible]
[illegible] non refert q[uod]
[illegible] appellatio [illegible]
[illegible] debita [illegible] q[uod] non
[illegible] appellatio [illegible] cardinalis [illegible]
[illegible] arreptis [illegible]
[illegible] arripuit [illegible]
[illegible] index [illegible]
[illegible] index procedat [illegible]
[illegible] archi[episcopus]
[illegible] cognosse [illegible] index [illegible]
[illegible] [illegible]
[illegible] appellationis [illegible] procederet [illegible] duos [illegible]
[illegible] arreptis [illegible]
[illegible] appellationis [illegible]
[illegible] appellatio
[illegible] non [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] et archi[episcopi] [illegible] cardinalis [illegible]
[illegible] non requiri [illegible] et [illegible] hoc [illegible]
c. cardinalis [illegible] [illegible] de [illegible]
[illegible] et [illegible] c. procedit ubi
[illegible] ad [illegible] Quid [illegible]
ad archiep[iscopu]m [illegible] non [illegible]
[illegible] appellationis [illegible] non [illegible] ad [illegible]

[illegible] non [illegible] quod [illegible] arrepta
[illegible] cum [illegible] ad [illegible]
[illegible] Concludo [illegible] mittere [illegible]
[illegible] appellationis [illegible] possit [illegible]
[illegible] non. Et inducitur hoc [illegible] ad [illegible] Quid
[illegible] duo litigant coram [illegible] archiepiscopus mandat
[illegible] duos [illegible] debeat terminare
[illegible] negligit [illegible] archiepiscopus cognoscit
[illegible] dic q[uod] non [illegible]
[illegible] et [illegible] requiritur [illegible] archiepiscopus
[illegible] omni [illegible]
[illegible] cognovisse. Quid duos archiep[iscop]os
[illegible] subditos archidiaconi et de [illegible] ad archi[episcopum]
ab archi[episcopo] [illegible] appellari [illegible] litigant duo coram
archi[episcopo] [illegible] ad archiep[iscopu]m
[illegible] appellationis [illegible] aliqui [illegible]
[illegible] mediatam et immediatam [illegible]
[illegible] accumulando
[illegible] cognosscat
archi[episcopus] q[uod] non possit [illegible] cognoscere. Quid
de legato de latere [illegible] q[uod] non [illegible]
[illegible] ad [illegible] non [illegible]
ita non [illegible] de [illegible] legato
[illegible] et [illegible] legatus
ordinarius [illegible]
de [illegible] legato [illegible] Quid de [illegible]
[illegible] ad [illegible]
[illegible]
[illegible] index [illegible] non [illegible]
[illegible] obediri [illegible] non [illegible]
[illegible] non potest esse index et [illegible]
[illegible] ad [illegible]
[illegible] et [illegible]
appellatione [illegible] ad archiep[iscopu]m
[illegible] ad [illegible] de [illegible]
[illegible] appellatio [illegible]
[illegible] [illegible]
[illegible] et [illegible]
ad [illegible] fuisse [illegible]
de archiepiscopo [illegible]
[illegible] inter [illegible] et [illegible]
[illegible] [illegible]
[illegible] archiepiscopus
[illegible] q[uod] [illegible] de
[illegible] [illegible]
[illegible] admittatur
[illegible] appellatione [illegible]
[illegible] ordinarius [illegible]

spat poss impediri pcc hoc no requir aucti
unc exp sse de of or duo pl expom dic a
pcuo si epo dicerz expsse si nolle i tenu
te. de ea ut i c. ro. ff atto. Quid si epo
no diat qd mitti aut q recu et eo
hoc appello abeo q archiepm mag i pa
cidecoe accidit recu fuit hec qo de fco
i decretalia f col. ut dicebant alij q
no dar archiepo quittaliss hu appelli
ca cum ea hic imp' i eq tytu aliq q
q i recurret eius ipm coni q agebat
de sua publicaoe de mia et obic i cui quer
et posset mltc fraudes qfingi quibz ob
uiandu e. dicer porro tenet q dat
pro dandos quosz mereie s admitt credo
si poste et ut hanc pte credo eu q
tytu nichil agitur corp epo. Quid
si appellet de archiepo q subest sibo
ad epm an h' de q pt ubi q tracte
mp epo epi et d' eq i me' pt qppt
laus prec pcuo s mps archiepi sola
pt i me' et fuit q de imp no de
of or eu abettasp pt app' pt ad legatu
obmisso medio q h i me' adibile
ff iud quele ii q e. c iii. Mag pt
app' de dele' epi ad papam et q no de
of del sup q no q porro q hic et
no' archiepi de of sicut ro. libi aliq
et q ni e r' q ad papam app'
medio obmisso ii q vi ad romana et
c. optio qua ipsa intelligi' eu
app' a sub dele' ad mortu dele' pli +
ha .. ut cu ab ea app' appel' obmisso
medio et patet r' ipsa. Mag apptes
pro hanc expme eam q q mittit me
cu dns jo an i c. corde et libi not
q m q pt appano cu p dente sic fuit
si pt appell' pcud appano verbo. Ide
jo p hos e. c. ad audientia d' q cu app'
et q tetto seu sub pectoris submissio
equiparet pcud a app' qmittit et
et i sepio pt i submissio pectoris
et idem eu de impsoe mecij fui
q no' in de de gnerali et e cu eas

archiepi not q i c. cordi et ei libi pmu
Mag epo pt provide q iudice suis corp
rectio vocatus sun sibz iudicem quia
q no q no e iudex q petes q no tam alu
q q hic no agit de iniuria i fereda et
hec cu cesp si expmit' hic eu q dec
imp' indici et q quaedam e q dicepo
no pt ac arc app' nisi expressa eo legatu
ut c. ro. en i op dec q exp ssoe intellegit'
inter archiepi intellegit de expssoe appois
et q hec infer' q si dicepo circa subditu
sup grave dicis ee app' eu no pt
et procedit q pcess e nq ut dec c. ro
archiepi ibi q q poss ess hec ubi pmi' z
pe iudice q illa interlocutoria fuit ins
interpres de ipi sup his. Quid si
iudex datus i ea appois circ fca me
vie de app' an h' cicd su de actu
eps d' q pt et i no q phaceom cemem
eo' meu ipso archiepi d' q si curarz
na ea app' expssa q tenere cicd
de dualz. Juder itaq appitur admitter
locuto no pt inhibere iudici a quo dat
incipit cogno' de ea appois eoz qu
dicetur incipe cogno' eq cuiq q pl q
gel' ut q parcoz ula' = Mag q hec e
plato pte e app' comd' dic q no q
nq pcedur inre pace. liec pton. ut lic pton.
pecom p' e papsol' eag

q cum dam app. ve. de app' q libet
q no e amo expsse pmissu hic
q si exp' appellz nq demitt' et
sup' q notalz ppetur de i duas q
ii ubi desp q p' subde' q p' pau' q
ii pro ubi nec i q' p' de. q' ubi nas
crap et deca exop dat ipo tq q
alius no pt ut si tuga inhibitu i ipo
q' hec dice q clam' appel' ve i ipo
appoita dele aliqi apari q no posz si
solu impediz et q a ure in quacq q
ure q no aguat i e ut debet qut
accominadoe i e eu cessante sup'iore
due aliq f papam de quo q dicta omen

s non exequi app(ella)ns s(ed) exequi officii imploratio
exequi mandato de sen(tentia) ex(equenda) s(ed) q(uod) tum ut c(um) g(rati)a
h(abe)at ... cu(m) i(n) certa obtinuiss(et) ... sen(tentia)
mandato remiss(e) si app(ella)o p(ro)fessus ... dicitur 1°
... q(uo)d videbatur q(uo)d remediu(m) ...
auferendu(m) ... ut etiam aliq(uan)do ...
n° q(uo)d app(ellatio)i frivole no(n) defert ...
... deferre ... cu(m) ...
... app(ellati)o ...
debitus ... q(uo)d ... aliq(uan)do ...
... si ...
... executio(n)e ...
... fructus ... ...
... q(uo)d ... app(ellatio) ...
... app(ella)t ...
... rec(usatio) ... app(ellati)o ...
... app(ellati)o ...
debitus ... ut debitus ubi
... Et ...
q(uo)d ... differ(re)
... app(ellati)o ... si ...
... app(ellatio) ...
... app(ella)t ... app(ella)re
... app(ella)t ... app(ella)re ... iudex
... si non ... app(ella)re ... iudex
a quo non ... deferre ... non ...
... iudex ... app(ella)re ...
... ut ...
ut ...
... app(ella)t ... frustratoria ...
... app(ell)o ... Alia ...
... et ... iudex ...
deferre si ... app(ella)t ab
... non ... app(ella)re ... app(ella)t ab
... app(ell)o
... iudex ... si iudex
... iudex ...
... et ...

... app(ellati)o ... differ(re) ...
... app(ella)t ... differ(re) ...
... app(ella)t ... differ(re)
... app(ella)re ...
... non ...
... app(ella)t ... app(ell)o
manifeste frustrato(r)ia ut cu(m) app(ella)t ...
... et ...
et ... frustrat(ori)o ut cu(m)
...
... ut cu(m) ...
no(n) ... deferre
iudex datus cu(m) ... app(ella)re Est
manifeste ... ut cu(m) ...
... recusatio ...
et iudex ... admittitur
... iudex ... admittitur ...
s non ... iudex ... admittitur ...
... et iudex ... obiecto ...
app(ella)bat si ... iudex qui ...
... app(ellati)o ... deferre ...
... deferri ...
... deferre ... iudex
a quo ... app(ell)o ...
... deferre
... de sen(tentia) ...
... app(ella)re ...
... ut ...
... de ... de sen(tentia) ...
app(ell)o ...
... ut ...
...
... q(uo)d ...
... sen(tentia) ...
... de sen(tentia)
...
...
... app(ell)o ...
... ut ...
...
...
... app(ellati)o ...

et ... i. sed non procederet quia ... Item quod
[illegible]
ut ... ordinarium ... in ... Item
[illegible] ... ordinario
illa ... tamen si ... a delegato non
[illegible] ... non ... tamen est quod appellans
ordinarius ... proprius ...
n. ... appellatio ... habet non ...
[illegible] ... si iudex appellans
mandet eum denuntiari ... non
[illegible] ... non
[illegible] ... ille a quo fuit ...
non ... denuntiari ...
quod non est ... appellatione ...
[illegible]
[illegible] ... non ...
[illegible] ... non ... appellatio
[illegible] ... non ...
[illegible] ... non ...
[illegible] mandet ...
[illegible] ... appellationem non est ...
[illegible]
[illegible] ... appellans non ...
[illegible]
[illegible]
[illegible] ... non ...
[illegible] ... appellationem ...
[illegible]
[illegible]
[illegible] ... non ...
[illegible]
[illegible] ... appellationem quia fuit ...
mandet dari

et ... appellatio ... iudex non ...
[illegible]
[illegible] ... appellatio ... quia fuit
[illegible] mandet dari ... non ligatur
[illegible] ... fuit ... et appellatio
[illegible] ... non
quia ... non ...
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] ... non ...
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] ... non ...
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] ... non ...
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

textus ad q pnu e c ad hoc et decret a c
dilecto q i scda nd p'cedere distinco dñi p'mi
ab actu p° et ideo no pt appne absq ut suspe
dendi lm s' p'cedere ad hoc ut app° suspe
dat e nece q' interpo'r ab actu p° et dn
s ut sit s suspendit et q' hoc tollit gl'a
ex(cep)tis in glo q si ad absolui p' appnem
p'cedit act' ex(e)q'ndi de sentencia p' app
ab ex(e)cutore du executor ul' i liminib'
bn impedit ut l ab executore Et quas app
no recipit n' q' ab executore et s
app p'ra executor nil impedit ad l' suti
dr q in s'a no e executio p'ime litis lis
pt p'gl' Ext i fi et ca pub'co mesil
addit q dat adversario s i qd'p'oe s' fiat
executio aliq datu adversario Inglo
ul' i fi ti s glo uidetur r'ne q no
a c' p'tate depariti ut restituat s bn
c impetrate exo'e ut absoluat ut s p [illegible]
continua ut emederetur decrimine p forma
ecce Ex ubi suspensus bo'e q dixi i textu
cu pg incerti a p'mo negatur de
certitudine dipl'bus clarz q ex'g illas
no pcipiet q no pt interesse diuina
p'pter q dam decti no resi c bn' i ti
de p' licz sic in c s' graui i iudico
no poterit petere q' i iudicio no pt agi
de iudi i tollerat s fructi beficii bn
percipiet s' petit sp'li et posito s'supo
tn gsic no pt illos recuie q dan'
ar offin et credo q ep octia ousmede
pt petere fructi et gdicez su ea cu dom
ar offin ut sepius deme se c soli
Q i ex'o absens sit p appnat
ad p'iam hanc cam p'mipt ad
archiepm deserdit app'at remit ac et archiepo
ciam audiet s p'testatur a'i m archiepo
no cognosce q si fecit epo potit appre
p'a pat pt' marino s applic diffio
n ibi nuo i et c tm p ea et pt cripe
mo etc deci deordu gaudet q parte

aliq madauit cu noluit obtemperare
qui s' appellans cogitur erie glosm i instant
petitur qr c ibi reduci debet
q' absolutu et no ligatu q semel
ex'o facti pg app'n ub' c de sen exco
excuss eti pos a q addicio protestado
aberrite i monente et hic dicit
uit q' q de appe an pt iusto ul'
i iusta cao i ulla mo i nouela
repere subdiuidendo ubi pt cog no
de alio s pg appo i noucliss quos s
ptermisso ipsi fuerz sit intrare nat
no eis dic cui quia s appo i discreto
ut q madauit ut no impediretur app
ad o dues i iuste pa m decu sl' c n
et decipo cu dileco p'ez no protestado
q app'at remit' re no intendebat s sn
et hoc cu ille ro s s hec aduersa
tunc bn pdr q inpxio uer sicl' ut
uer q ut sic s'ule p'testatus sic
ut pu nunc inuckendo ul' appos
i app'a ipso p'sequedo iuste q protestaz
iniit de q' s cu in h'ec dixi q inc
cadr et Jec q' app'at transferr'i iudic
impedio i iudicio adq s o ut debuit
Jeo q cade c rodit difficio quidez p
de ip'a tuscano Jec q adq s'ide
cognito a'n's s'stat et accessori
de cap de prouincia Jeo i narconio
crdo no seruata s iudicat q' n' q a de
manifeste Jec q e dicatur quis app
remiit ac deus del q'tu Jeo q
illamo gitt no audiatur qar i glo
cop q' dec gstitut c ule ligat
intrauisse sic de app'ac ad p'seru
interposita de ut ibi ap ij de
r direc et cogstitut o e ep de
app' geni pt no pt appll'i coprim
q tex dt s° q no pt s'c intromitte
demu dt q pt spm demi e no ligatu
at cu s'bi q dice ds s pro iudicat i cog

no pacit si confundit si sit notorium sit planum declare sit quod licet lex dicat [illegible] [illegible] non esse notorie iniustum [illegible] [illegible] [illegible] archiepiscopo non [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible]

remittit tacite ut expresse lex [illegible] [illegible] non sit ligatus [illegible] [illegible] [illegible]

[illegible]

ss si q^d quo q p^te tenor tu in dis articuli sit
dispositi n^t sit quesi in s^o cog^n mois poss uolunt^s
q^r no ptt cognossi de ex^oe qui de ao ar^e cognos
catur Vers ? adfine differre de s adfine de
clande ex^o^s iusta ut i iusta bn cognosceretur
si adfine declande ex^o^s iusta ut in iusta bn
cognosseretur ut in omis te ut q^r hor duudit
instrumenta te q^r cog nosset ad fine duuisu
no obs s q^r s^cretarius eps excipiat app^os
p^te de replicat^r q^r n^a p^teritis quo adeu eu
q^nitu adillu ar^lu fuerit remiss^u
singl^s s q^re ubi s tu du dic q^r cu e app^tu
q^nitu ad illu ar^lm transfert app^o cogn^os
i suppliare et sic no du q^r g^stelt illu no
indice q^s diceba^r q^r i app^e agitur de
iniq^ua exceptione et i suppliare cu slaro
et i alia esse suppl^e q singlis i s^e de
arg^umt so cuit et psi s si p^odere ss oppos
g^ru elici q^ntu ad p^rinc^ipali^u dicis
di q^ntu adigere p^onere q^ua q^r aut
sit q^ua i cogn^e et esset aut in utroque
sit q^ualicunq aut i cogn^e g^nal sufficiet
equivalen^e hec no^r i l. si pro^s ff de eq^s liber
de corpore de i ^u ng de re e iunp libj
cl^n dis q^r alia q^ua sit tas ne q^r pelloz ouns
me q^r adu^rsario et tuc p^elloz omis p^teditur
sed alteri te defer ba si no sunt ita aut odet
p^orte agedo aut excipiendo illactu aut putete
aut sunt sit no putte^e sic q^r ali dicut app^i
dupos sunt p^ori q^ua ut l. p^oprium^s hec atta
aut g^ude et tuc aut tollit^r clare et no pu^t
app^ori de de ut quis libj q^r no tollit^r clare aut
q^r p^orte sit et no pt ss de re ius ubi requirit
p^orte sit et no pt ss de re ius ubi requi^r
nimid de fide i sua iniuri aut putte^e et
tu aut agedo aut except^i p^o cau aut i p^o ob
tinet et no auditur ut l. trac ss deq^ui et de
tunt et no auditur ut l. tace ff deq^i et de
iurisp^a ... aut putulint et tuc auditur nisi
petero p^e admitti excipiens q^ua optinuerat
c. i. pa^n hec hec s^a l^ex aut autem^e
ff de lib. leg^a hec not ... p^s p^e c.
de sen^t. l. i. aut excipi^do et tuc in defecte
admittit^r q^r p^s s^uf aliq^ui g^fessus s^q^r s^uff
me s^uit adu^rsario de si no i^ud s^el. g^ud
dr p^bat s^r tuc et i si g^ru ... c. s.
q^r hec tollitur ut s de p^e c dictis

q^r app^os legi^am p^u l^e cu pues deus
forens ad uiduie app^e^os deseri
sive est ex^o^s ut uidetur s^ed l^ra no
tenet s^i^o p^u p^ter natural^s ij differeo
illi q^r uero q tuid fcit s^i^o differunt
p^repi^t deci p^e app^os et s^i illi p^ub^ca
s^rcepti q^uit p^s app^os de cau ter ibi^eas
decanai q^ui co^mmunicaueri ar de eo
p^teo patet domi^s d. i. q^off^it. furtiue
q^eor de p^e tuc mouiss i requisiuiss
sta^u tang^t reuedes... alluditur ... obligari
q ... qui g^o es ut pignora capta
reuedere sub certa fide ut eductur
restituit ... decedar ...
...des dcof et ures^l^e ...
c q^r me libi et s^i hic deci^r q^r decla^s
p^s app^os mandauit ... dom^i fuari
eps ... repulit ... lucrari dui
in officii ... quo no obs^te ...
admitti co^mmunicalues ut eide iuxta
ista lxii c^u^r pene capit ... q^r aputie
o e ad hec qui et c paston et i. deci
Innocen^tis leg. n ritu no p^ted po
terat declare ap^los dimissorios
Ito q^r inferior de mix ...
suppont ... Ito q^r inferior
mois supple Ito q^r appella
supior ab inferiore Ito q^r q^o app^el^t
q^r p^e et alio quos intuere ito q^r
cu dom^ui su suppedi b. c. ad hec ito
q^r deuolutio p^u i^ie deuolui et ...
s^i^o q^r sua^t q^r i fenor no mans y
suppliare xoi di i fenor ...
no mannit decla^s ... auctoriza^li
si suppli^t requipiunt ... q^r liberi
corpore i nullis bois sit q^o no pu^t
uendicari q^r dr s^i q^r no uendicaui s
roe rerum ... ... pecul^i curiales pecur
tunc ab modis et eps elicit defensi
ex^o si idest liby et i. elicit roe
iura q^r ... ... i aliquos
si creditor ... ...

vel interdco sit petitio non poss. ext
in de b. [illegible] c. etc. q. c. dilecti
q. superior non app[ell]. ubi inferiore. so
non app[ellan]t. eps a decano cum suo audire
si cumque apre co[n]ude[m] qui unde. [illegible]
bec q non potuerit eps appe[llar]e q[ui]a
non a tenerentur in q. u[ire] non polent de
etiam cum inter r. q. non tenebatur iter
interdem suare so dr in q. appellat
ap[pe]llar in tercio proxp tenaciter ut enim
privilegiatorum decanis q. q. in sua re tenere
ut ipse interea fet [illegible] opinam eps
appellaverit q. curiate et eius b[us] quibus non
habebat mandatum et sine mandato
q. alia non appe[llar]e de q. eius mandato so
superior sit q. eius b[us] subditi sit appe[llar]e
q. eius interea me subditi g[ener]a
et d. in q. sit poss appellare ex duo
capitulo in medio duo pdap sit appellare
ne d. colunibet a qui unde[m] dum
in medio ut operatur interdem beipus sic
de q. ea. licet. so. dr. q. si aliquid
subripuerit furto subditi sit duo
non competit actio furti i. [illegible] m
pati q. bo. pua non in sua du reit in
ex poss duo age q. q. pus pri ma
dicas concludis q. si alique inferior
subditi i. intra dum q. tur age patit
prius si non i. intra piant [illegible]
ap. i. appellatione co[n]ude[n]t. non inrutum pus
agendum in si pt. a. sentra te apparas de
hus q. suprad. ma q. c. c. i. de ma
et obi. dilecti et dyi o. c. boc. so. dr.
in q. bec eps appellat. ex ea benipla
decanis in de unc coi non sit interdicere
ecclesias epo q. appellans appellat excd
benipla q. de unc non poterat q. pri
n. ueritas si pelli pt benipla lo
gratum q. [illegible] dr. in q. si decanus q.
bapp q. subsuiss ex spiritualis ut so
privilegia spiritual q. q. tenuiss interdicere

non fuiss declaratum interdem ultam. Oppt.
q. insi fuiss ea ista manifesta licet non
declaret n[isi] utlm. relaxare tum sin diff
cultate [illegible] ap interdem fuit declaratum
etiam g[ra]ta piud eps tenuit q. reuerda
turbabat diuinum offm. so piud non
tenuit q. tantum negotium cum pius perglio
declaratum fuit ad ppam - i. c. cardi. i. c. at
bu q. tenuiss [illegible] eps poterit tenuit se
appellare in q. q. sequens - libellus so in fuit
ipsum g[ra]tis ut dr q. non sit tenuit se
appellatio palati interposito [illegible] q. om. decanus non de
tulit appell. epi g[ra]o offi metropo[litan]i non debuit
deferre pue o. c. dn. sit so dr q. pio non de
tulit q. declarauit interdem ultam si pus ea
i. appellatione interposita super negotio q. in l. inti
tuit deferre ut d. glo. ut dr. q. deferre
poterit tamen et frustratorie i. c. cum appel
lationibus i. c. [illegible] ving lo. i. ubi ut fame
dr ut de sen ex i. c. i. c. pugla
si non cum ubi pub g[ra]ti iste intellectus q.
q. g[ra]tis prim[en]te fuit appellatio interposita si bur
bura non g[ra]tis be ipse tur sit fuiss ubi
et suffi sit interdem pendens sb bu
i. c. q. q. fuit latum et pus ea suffi sit
q. non sit rare i. c. et ubi in lum
uides si intellectum qui tum non tollit g[ra]ts
dilecti i. c. adiecit cum plibus q. aut eps
interdici epo erat pius aut absens si
erat absens tunc non interdem i. pul
plarie fuit pendens et suffi pius et
q. g[ra]ts non g[ra]tis be q. dicit q. sicut ne
fuit pus latum sa suffi pu si erat pius
tunc in pum plarie fuit purum et dein
suffi pu et tunc appellatum et que p. tamen g[ra]tis
si tenuis tercium in ultimum que c. ea ultam
pendens et ubi pu. arces q. xi q. in uos
et credo loqui de quo adecacitis triumphante
uera apios arces q. durante communione ex[com]m[unica]tus
sui non possit illud suffici qui sit ligatus
quo adder q. q. grauanda et maxime durat
si quatum adecacitas bu poss sit dispensare
q. pendente excom[municatio]ne tunc communicaretur excom[municato]

et sic petito et sub pena in duarum dietarum edicto
... in qua initias etc. antecessor et c.
q(uod) predecessor ... [illegible] ... dat ali
quibus ... [illegible] ... Et ut ...
[illegible] Rubrica q(uod) sunt sunt
apostoli dic(untu)r q(uod) sunt littere ... iudice a quo
ad iudicem ad quem directe appellanti traduntur
quas instruitur iudex ad quem de appellatione
... et an sit delata appellatio vel non
et ... littere lege ... dimissorii a quo
... ubi ... declaratur etc.
ut supra et c. abbas et ... [illegible]
apostolos ab ... q(uod) ... [illegible]
... dimissorie ... [illegible]
dimissorie apostolos Rubrica q(uod) sunt genera
ad apostolos dic(itur) q(uod) quadruplex ut notatur ...
... dimissorii cum dimittitur
appellans iudicii ad quem et defertur appellationi
refutatorii cum non defertur appellationi reverentiales
cum ... iudex non deferens ... propter re-
verentiam iudicis ad quem defert
et testimoniales ut cum ... [illegible]
[illegible]

iudex ... [illegible] ... et appellans ...
... [illegible] ...
totum ... [illegible] ... appellationi
Rubrica ... appellans ... [illegible]
... quo non ... deliberandum
iudex ... apostolos ... [illegible]
... abbas q(uod) dicit ... [illegible]
... [illegible] ... non
ob ... non ... et ...
... [illegible] ...
... [illegible] ...
... [illegible] ...
Rubrica ... [illegible] ... terminus
... [illegible] ... appellatio ... inter partes
[illegible]

Pos(t) ap(osto)l(o)s [illegible] q(uia) [illegible] petitum- [illegible] ut [illegible] p(er)petuu(m) [illegible] lex [illegible] no(n) [illegible] explicat [illegible] termi(n)u(m) [illegible] termi(nu)s [illegible] appellant [illegible] termi(nu)m [illegible] assignat [illegible] de duab(us) [illegible] credo [illegible] apostolos [illegible] dare [illegible] appellant(is) [illegible] [illegible]

[illegible] appellanti [illegible] termi(n)u(m) [illegible] apostolos [illegible] appellat(i)o(n)e [illegible] appellante [illegible] [illegible]

nisi id nunc sit expressum quod hoc casu non requiritur
sicut in casibus de quibus et ita etiam dicit in cle. ij
e. ti. — Quid si quis appellat a duobus gravaminibus
duobus quibus dicit quod singula ipsa continent
singulos, non tamen sint decem cum diebus sint absolucio
in quo comprehenditur — Quid si iudex refugiat ter-
minum appellanti ad apostolos recipiendos et super
illa appellatione et apostolos petit iudex assignet alium
terminum, nunquid recipiens appellationem, quando tenetur
an in cle. ij. sic e. ti. dicit quod sic quia duos dies
et non ultra non apparet quod in duobus mensibus non
sufficiat sive ita requiritur quod debet in sua
gravissima quod si quis ex et sicut cle. ij. quod illa
intercessionis et hoc misericordia si non certum
terminum sed terminum nisi prefixit sed tunc
oblatos dies reque cum reffertur — Quid si
appellans non petit apostolos dicit quod tamen etiam
e. cordi quod iudex inducatur tradere ut ibi
quantum tamen ad appellantem non est perfectum nisi petat
licet iudex tradat ut ibi — Utrum tenetur re-
cipere apostolos clausos clausos sicut in cle. ij. e. ti.
dicit quod cum sint lite suppositi dicte dici sint
clausi, sed sicut tamen iudex si eos tradit apostolos
ipsos dici quod nomen dicunt apostoli primo quod dare est
accipere processus sicut quod ex ij. de minori
admittas cum quod sit de actis quod sint edenda
apostoli de qua dicitur — Quid si iudex perdit
in causa ipsos dando apostolos et non dat apostolos
prout dat tunc ipsos intimeque processus dicit quod processus
sunt nulli ut in cle. ij. et quod tales sunt de his aliud
— Quid si post ipsos apostolos non renuit gravamen
nunquid pariter procedere, an mole ij. dicit quod non
quod denegatos apostolos tamen quod delatio sive per
dilationem non renuntiatis gravamini et tamen appellacionibus
libet — Quid si iudex ob reverentiam suppremus de
ferre appellacioni frivole nunquid teneatur dat inspectos
nunc hoc in cordi dicit quod ea appello non defert
an in e. ut supra quod — Quid si iudex ex debitum
ipsos renuit nunquid hoc dicit apostolos duo an
in e. ut supra dicit quod sic quod reus expectat potius ipsum
causam sicut tum appellacioni renunciatur sicut quod ex hoc
quod appellationem quo ad procedendum ipsud est per se
mirabilis ut ea ratione quod non purgat in non
appellatum quo ad processum procedendi sicut ea cessante
ad cautelam tamen dictum est quod sic dat —

Quid si appello et iudex recipiens non
dat apostolos nunquid in eadem pena sit ut
supra non tamen quod non meruit dici appellatio
quo vero est sic non et articuli in e. ut supra tamen
contrarium quod textus loquitur ubi indiscrete
dicit in eis idem quod militans etiam expressum
processus dici quod non tenetur ut in e. cordi
— Utrum petens apostolos infra diem sequenti
utrum sufficit dicit quod non, sed an et si ante
ad eas loca — Quid si iudex est incredibilis
et non audit appellantem, ipsum adire debet
sequi ut in e. ab eo quod si potest in —
Utrum pendente termino addendos apostolos
iudex appellationis debeat procedere dicit quod sic
quod sit petente apostolos sit interponi
appellatione etiam tamen quod duos poterit peti
ut in e. ab eo alia quod presente dilatione
comprehendendo dies iudex affirmat quod est suspectione
de dilatione sit per non ob sic dicatur hoc tempus
quod dicitur ad iudicem a quo quod iudex eo ad
quod sub agatur iudex est sicut quod iudex
quod sub deliberatione an recipiet
a quo sedat sub deliberatione an recipiet
gravaminis et sine eorum processu appellationis sunt
despiciendi — Utrum iudicem debitum sicut
recte petendo dicit quod non quod sicut actum de
bactos suspenso in impediendo in suppositione
quod in tamen appellationibus duos de diebus quod
quod e tum appellans non est suspensus tamen est de
quod dicit quod ipsum ingrediat est impedimento
appellacionis ipso sicut articuli post intercedimus impressos
processus resolvere ab appellante et que sicut appellacionibus
intercepit in causa electionis ubi non sit
intercedit prius quod principale est suppositi de ele.
sine in eo sicut in e. ut nunc
post quod ipse cum ad servitor
ex causa quod sic amore et quod talis
si alios fuisse legatus apostoli sigillum etiam
quod cum electos gravat causaliarum. Ideo quod
plus est summum nominalem sic quod quod appello et quod
ille est actus legis... ei revocatur sicut sit
sine appellacioni est actus legis mortue et quanto
ad effectum plus appello quod appello non sufficit
nisi sit legitima et sic dicitur an sit legitima
sed non dicitur de ipse revocatione an sit legitima
sequitur si inspector sicut legum illorum de actione

[illegible]

[illegible]

hic delegatum mediante appellatione iudex appellationis [illegible]
notus vel impetratus deberet [illegible]

pro eo ignorans illa [illegible] = Iniuste adverte quia aut
lis fuit contestata in causa principali aut non si fuit
contestata aut non dubites quin sufficit ad [illegible]
[illegible] iudex ad diffinitivam procedit ut [illegible]
procedit ut notatur de do. et [illegible] = Si appellatur
ante litem contestatam aut [illegible] ad articulum appellationis [illegible]
quia si appellatio fuit recepta appellatione procedetur
[illegible] ab ipsis non emissa [illegible] Ego dico
[illegible] lis dicatur contestata in causa appellationis de quo
de inst. [illegible] c. ii libro vi ubi notatur [illegible]
qui [illegible] litem contestatam si interpellandum
a diffinitiva secus ab interlocutoria et id
[illegible] in collegiis [illegible] ut [illegible]
[illegible] dicit quia [illegible]
dici [illegible] in appellatione ab interlocutoria nova
in instantia [illegible] cognitio [illegible]
[illegible] in appellatione a diffinitiva [illegible]
[illegible] quia iudex [illegible] subrogatur
[illegible] iudex a quo [illegible]
non [illegible] litem contestatam [illegible] iudex [illegible]
mediante appellatione [illegible] diffinitiva de nova [illegible]
[illegible] et [illegible]
in [illegible] de novo lis contestetur
et [illegible]
[illegible] procedere [illegible] dicitur = [illegible]
[illegible] appellationis [illegible] et
appellantis [illegible] remitti [illegible] a quo = [illegible]
[illegible] quod fuit [illegible] et [illegible]
[illegible] appellatum iudex non [illegible] appellationis
[illegible] remitte [illegible] litigantes [illegible] et
iudex [illegible] et procedere
[illegible] appellationis [illegible]
[illegible] appellationem iudex a quo [illegible] appellationis [illegible]
[illegible] appellationis [illegible]
[illegible] appellationis et appellantis [illegible]
[illegible] iudice [illegible]
[illegible] et remittendis = [illegible]
[illegible] in causa appellationis [illegible]
[illegible] et [illegible]
[illegible] de inst. [illegible]
[illegible] notat [illegible] appellationis a
diffinitiva [illegible] ab interlocutoria litem contestatam et [illegible]
[illegible] de [illegible]
[illegible] non [illegible]

[illegible] quod [illegible] appellationem a diffinitiva [illegible]
[illegible] et [illegible] non contestatam
ut [illegible] de remittendis [illegible]
[illegible] ad eundem appellationis [illegible] ad eundem
[illegible] non
quod [illegible] ubi iudice non [illegible]
appellari ut notatur [illegible] ubi [illegible]
[illegible] non remaneat in curia [illegible]
auditore dato in curia appellationum [illegible]
non [illegible] terminus [illegible] ad im-
pugnandum [illegible] ut debetur

[illegible] appellationem [illegible]
probabilem exprimere causam iudice
a quo appellatur ut [illegible] probabilis exceptio [illegible]
[illegible] litis [illegible] non sit
et [illegible] appellationis [illegible] remittetur appellatus
et [illegible] exceptione [illegible] iudex appellationis
in principali [illegible]
[illegible]
[illegible] in [illegible]
[illegible] non [illegible] appellationem [illegible]
[illegible] exempla
[illegible] appellationes legitime appellationis [illegible]
iudice in processu [illegible]
[illegible] de [illegible]
colligitur iudicibus honorem deberi l. [illegible]
[illegible] appellationis [illegible] et
[illegible]
[illegible] audire de remittendis in [illegible]
iudici [illegible] de quo [illegible] iudicatio [illegible]
[illegible] matthi ut [illegible] exceptione
[illegible] ut litigantes [illegible]
[illegible] plus [illegible] in causa appellationis [illegible]
in causa principali [illegible]
[illegible] de novo [illegible]
[illegible] de [illegible] masculinum
[illegible] delicto
[illegible] de quo [illegible]
[illegible]
[illegible] iudex
[illegible] de [illegible]
[illegible] non [illegible] appellationis [illegible]
et non [illegible] et [illegible]
[illegible] appellationis [illegible]

et licite utitur q non potest congrue explicari appellando s. a. dicto iudice a quo appellatur et s non potest eius ipsum requirere hoc fecit casus extra de sentent. excom. c. ii q. vi. ibydem. ic s. ipsius expiracio i scriptis de quo s. c. cardi. t. ii. s. s. traditur non e necessaria littera q. e. appellationis i vi superior s. adhuc appellacione remittat nisi retulit a. c. cum appellationibus t. vi supplendo que olim restituebat q. dupli. ties ii q. vi. c. condep. iii ex die q remittit vel remittendo. mala appellacione q. c. cum appellationibus t. vi. precedit i negotio principali fabius dixit q. eminentem p. ad primum c. p. ad supra post precedentia ... e. ... q. t. ... maioribus iii cog necesse est s. appellatione et ... legitima non expedit appellacio s. ... maioritatem vel requisitis ... iudices ... vel ... et ... legitimis eas ... appellacione a. c. cardi. libri ... q ... misso non ... appellacione ... q. a. libris ... legitimam ... t. ... appellacione legitimam ... ad supplendum ... q. ... appellatione remittit ... et ... [illegible]

q. a. difficultas sufficeret ... appellacione ... casus dicitur legibus dicit ... ubi i ... erat ratione a qua hoc ... non a. t. ... dicit q alio ... Sufficiat ... quia q. hoc ... possessionis ... defendendo ... q. i ... non ... appellacione et i ... i ... hoc ad i ... e. appellacio ff. de ... s. ... legit i ... hoc ... q ... ab appellacione et ... c. ... appellacio ... a difficultas q. ad difficultas ... appellacio ... appellacione ... ab hac ... vel ... non sufficeret nisi ... [illegible]

q est i iudicio hec precedere ubi esset tanta occupatio
contra que non possit fieri et sicut appellatio
Unde dicitur quod misso mandato excipit ubi iudices
qui committunt non sunt residentes quod simul
sic mittere e mitte ad curiam et suppone et
mediate i quos precedit qui concurrit ut
tertio suppone ut collegas et ceteris suppone
debitur 3o executor dominus videat mutuo
exemplari et post iudicium capitulum ubi mitte quod
manu est pro di deleg et hec generaliter quod
omnium appellationes et mutuum est misso i casu quod
omnium appellationes e dicti cum supplicatur i ca
ap a casu pro et notarium e apm non posse
p i e subditus contestatur dicit iudex i hec
est non potestas procedere et propter mutatione
cum ad papam ut fertur quod si mittere
mutuum non sit mediate precedet quod hic dicitur
ex iu i capitulis ponderentur esse dare
de ipso eodem et quod ibi ea ro lic quod videtur
meruit hoc dicitur quod hec dicitur 3a quod quis
quicumque aut ordinarius suis quoad causam non agit
de eorum delegatis ut non dispensabit de
radice cessat ad causam quod non erit est suppositus
ea mutuum ... hec patet quod conbe
i iudex quod procedent pro ordinarie imponere
pars est quod vel potius quod dicitur hic cognoscere
de suis maiori quod potest quod committent dicitur
hec locutio sunt vera nimis cum responsio
sunt e alia dicit quod hic non probabat potius
i quod retractasse locus dicit et sunt locutio
quod non contra vere quod totum apte potest quod hoc
in gestis procedere sententia consultum ad primum quod totum
intelligatur de hoc dicit imperitus quae
valet ut negletum preter impet procedere e de
ipso si dicit et plures si alio hic precedens
ubi quod eum non fecisse quod unus procedere et hec
tempus summus ista fortasse vera ut ut alia
sunt correcta Ad primum sunt esse et dicebat
si solum in hac opinione quod non obstabat hic
impetratio nisi contra delegato assignaverat quod
impetratione hic ordinaverat et hic non dicebat
si ita velle uti si solum processum videtur non
licebat imperatorie quod potuit hec i fit
quod totum apte probat quod factum procedat
et non dato i contencio et hec e vera
i licentia quod hec potest non debet procedere

palaciis quod si i quartus pro hoc adhuc non po
tuisse patere et fuit i predictus procedere et
fuisse protestatus adhuc solum hic suus licet
si primus procedere quod sit cui pro appellari
hic de i intelligatur e si dicit et e plures
de ipso ... i ad suppositum et appellationem pro
... appellationis i e libro de contramittere impetrare
delegatum sunt appellatio quod quod delegatum an impedito i
suppositione tunc ... c. ii. de ordinis i e libro de si
appellatio fuit nulla iudex adhuc non sit i ...
de ... si fuit aliquid et ea propter quod non reperitur
vera tunc comparere potest non quod primo casu ... impedito
fuit translata i iudice aliquo et non quod non iudex
non sit comparere potest ubi fuit aliquid ...
hic ap de ... e cor di ... remittere potest
impetrare procedere quod preter misso appellationes ...
... rem nisi ... et ...
... si solus conveniat appellatus et ... hoc
de ... ad papam fecit i alias de
... libro impetrare esse qui possunt si ...
... prelatum adire et adversus de iure
... non appellationem ... impetrare ...
quas non ... et i quoque ...
... quod ... ea ... appellationem
ab interlocutoria dicitur ... insufficiens
aliquid dicit quod non et ... solum
i appellationis ... ad papam et ...
... quod ... dispensare i e
... i appellationibus ad papam inter
... appellatur
... appellatur ... si
... ad ... insufficiens ...
si appellatur ... ea ... et non
... appellatur insufficiens ... sit
... esse ... dicitur de appellatione
ab interlocutoria ... appellatur ... loquitur
ad ... ipsa
... quod insufficiens non patet ... alia ...
... iudex ... appellationes ...
... aliquid dicit quod
... quod non ... appellatione insufficiens
... quod ipsa e interlocutoria et ...
... non ... tamen
... i ... quod iudex
... et ... vel ...

cont[ra] q[uod] dixi de defini[tiva] — Quid si iudex a quo pronunciat male appellatu[m] no[n] tamen remittebatur nusquam [illegible] tenet iudex a quo [illegible] q[uod] si fuit delatu[m] no[n] poterit procedere nisi fiat verbalis remissio [illegible] cu[m] app[ella]t[ione] [illegible] si no[n] fuit delatu[m] [illegible] lege [illegible] quod [illegible] reassumit. Et [illegible] quedam [illegible] [illegible] cognoscere — Jo[hannes] ang[licus]

[illegible]

Si iudex [illegible] negatiue [illegible] [illegible] appellatu[m] [illegible] fuit app[ella]tu[m] no[n] ob[stante] app[ellatione] [illegible] procedere [illegible] possit reuoc[are] [illegible] [illegible] delatio [illegible] cognoscere [illegible] et [illegible] no[n] cognoscit [illegible] interlocutoria [illegible]

[illegible]

[illegible] dicitur

dicit ut notat glo. in l. i. ff. de pro socio que prohibetur executor non potest revocare iam tamen re cognita et preter voluntatem partis ff. de pro socio si quis
[illegible] dum iudex possit compelli ut revocet suam interlocutoriam ff. l. quidam ff. de iudi. iurisdictione
iudex a quo causa fuerit appellatum ut revocabitur
sine expensis non si appellatum a diffinitiva non
[illegible] quia dum statum dicitur gerere negotium
[illegible] sicut c. si a vi aliquid dicit quod infra quantum
[illegible] potest iudex revocare aliquid a iudice dicitur
[illegible] et tempore quod potest qui de facultate
[illegible] impetrando et dicitur quod dicitur pertinent
[illegible] quod debuit appellare si gravatur dum
iudex ultimo quod gravat facultatem revocandi
et non dicitur quod est prius dicitur quod appellato
[illegible] in c. ult. [illegible] executor non possit
[illegible] appellatione non potest revocare si appellatio deserta fuit [illegible]
[illegible] revocaret [illegible] si non daret apostolos [illegible]
[illegible] quod tamen tenetur deferre ut in c.
quia eam et si revocato requirat tamen cognitio
[illegible] de iure [illegible]
[illegible] non requirat [illegible]
[illegible] requiritur voluntas [illegible]
[illegible] potest [illegible]
revocare dicitur quod non [illegible] executione [illegible]
[illegible] potest ne plures revocare eandem interlocutoriam
[illegible] ter in eadem [illegible] ter ap. [illegible]
[illegible] ff. de [illegible]
[illegible] possit iudex revocare [illegible]
quod dicit fieri [illegible] cognitione et non potest
dicitur non requirit cognitionem et ut [illegible]
[illegible] ff. de [illegible] possit re-
vocare interlocutoriam [illegible] appellatur diffinitiva
ut tamen mandat [illegible] procedendi [illegible]
[illegible] dicitur quod dicit iudex [illegible]
et [illegible] potest [illegible] tamen [illegible]
[illegible] ff. de [illegible] proferre [illegible]
[illegible] et [illegible] decretum dicit
iudex [illegible] dicitur iudex [illegible]
non [illegible] ut quod dicitur tutor et [illegible]
[illegible] decretum et tamen non [illegible]
[illegible] revocare potest ff. de [illegible]
curatore [illegible] in quo loco potest dicitur quod dicitur
et arbiter [illegible] ordinarius in loco maioris
[illegible] cognitionem requirit [illegible]
[illegible] secundo [illegible] revocat revocat dicit

[illegible] in publicatio et [illegible] tamen potest
ut [illegible] mandat dare et [illegible] non [illegible]
[illegible] et effectum tamen [illegible]
[illegible] dilationes et [illegible] procedit ad diffinitivam
[illegible] de dilationibus [illegible]
qualitate et accidentalitatem quia revocat ut
[illegible] calendis et [illegible]
[illegible] iudex [illegible] interlocutoria sua
[illegible] dicitur quod potest ut in l. [illegible]
ff. de [illegible] interlocutio [illegible] ff. de
pro socio [illegible] dicit quod dicitur non interlocutoria
[illegible] quod [illegible] dicitur
[illegible] iudex [illegible]
[illegible] potest et [illegible]
[illegible] Et [illegible] interlocutoria
dicitur quod non potest interlocutoria corrigenda quod
alio remedio dicitur corrigi et [illegible]
[illegible] derogatio [illegible]
interlocutoria [illegible] declarativa
[illegible] interlocutoria [illegible]
de [illegible]
[illegible] interlocutoria [illegible]
[illegible] interlocutoria [illegible] de
[illegible] interlocutoria [illegible]
[illegible] necessario [illegible]
[illegible] dicitur quod
[illegible] potest [illegible] principio
non potest [illegible] qui [illegible]
[illegible] interlocutoria [illegible]
[illegible] in [illegible]
[illegible] potest [illegible]
non ff. de pro socio [illegible]
[illegible] de [illegible] et [illegible]
[illegible] iudicibus ordinarius [illegible]
et [illegible] ut [illegible]
ff. [illegible] Collige ergo quod dicitur non interlocutoria
sua [illegible] ergo [illegible]
[illegible] de [illegible] ordinarius
[illegible] de [illegible] ff. de [illegible]
[illegible] interlocutoria [illegible]
[illegible] ff.
[illegible] interlocutoria [illegible]
[illegible] principio ff.
de [illegible] iudex ff. de [illegible]
[illegible] inferiori [illegible]
abrogare [illegible] quod [illegible]

ope replicationis alia sunt interposita quam [illegible]
exceptione et habent eos non sunt iudice nisi
cum accessione et eadem dicit ff. de re iudicata
l. [illegible] alia sunt interposita per [illegible]
[illegible] expositione et habent interpositiones
sunt [illegible] iudex ff. eodem l. [illegible]
re [illegible] non addit qui declarat
ff. de [illegible] l. heredes [illegible] quod si [illegible]
[illegible] iudex [illegible] violenta
[illegible] fore sunt interpositi de [illegible]
[illegible] ut l. [illegible] ff. de [illegible]
an hec interpositio [illegible]
quod [illegible] ff. de re iudicata l. de [illegible] ff. de
adoptione l. non debemus alias [illegible]
non requiritur [illegible] an iudex possit
interpositi [illegible] et ut
quod non [illegible] heres non sunt interpositi
l. [illegible] ff. de re iudicata l. [illegible]
[illegible] delegantis inter
[illegible] delicti et [illegible]
[illegible] ff. de re iudicata l. [illegible] et l. [illegible]
[illegible] quod si iudex
[illegible]
[illegible] de [illegible]
[illegible] repulita [illegible]
[illegible] non possit repudiare [illegible] et [illegible]
[illegible] delegante [illegible] non [illegible]
[illegible] impedito [illegible] an [illegible]
[illegible] possit [illegible]
[illegible] si iudex [illegible] modo ut
si fiat interpositio [illegible]
[illegible] si [illegible]
[illegible] singulis an possit
[illegible] contumacie [illegible] quod si contumacia
ut iudex [illegible] iudicis [illegible]
si [illegible] sit [illegible]
[illegible]

[illegible] frustratorias [illegible]
[illegible] et appellationes [illegible]

[illegible] interponitur ut [illegible]
[illegible] frustratorias [illegible]
[illegible] frustratorias appellationes [illegible]
[illegible] exempla [illegible]
[illegible] de recusationibus [illegible] et [illegible]
[illegible] iudex [illegible]

[illegible] recusatio [illegible] ad [illegible]
ut iudex [illegible] arbitri [illegible]
qua ad [illegible] exitur [illegible]
quod non [illegible] nisi [illegible]
[illegible] recusari [illegible]
[illegible] posse recusari [illegible]
[illegible] suspectus et [illegible]
[illegible] recusatum [illegible] de
[illegible] de [illegible]
iudex [illegible] non [illegible]
[illegible] et [illegible]
[illegible] non [illegible] de [illegible]
[illegible]
[illegible] de [illegible]
[illegible] ordinarius possit recusari de iure
[illegible] Bulgarus [illegible]
de iudicato [illegible] quod [illegible]
[illegible] non [illegible] post [illegible]
[illegible] qui [illegible]
[illegible] quod [illegible] iudex [illegible] quod
[illegible] recusari non [illegible]
[illegible] Bulgarus et [illegible]
[illegible]
[illegible] ordinarius iure [illegible]
[illegible] suspectus [illegible] quod iudex cognoscit
[illegible] ff. de iudicato l. [illegible]
de [illegible] hic [illegible]
[illegible] iudice [illegible] suspectum et
[illegible] recusatur [illegible]
[illegible] suspectum [illegible]
[illegible] de iure
[illegible] et [illegible] quod [illegible]
[illegible] allegandam [illegible] ff. [illegible]
[illegible] et [illegible] iudex
[illegible] ff. de [illegible]
[illegible] non sunt [illegible] nisi [illegible]
[illegible] allegaverunt [illegible]
an possit recusari [illegible] suspecto [illegible]
[illegible] non [illegible] differentias [illegible]
[illegible] recusator
[illegible] suspectus [illegible] recusator
[illegible] suspectus [illegible]
[illegible]
[illegible] suspecto
[illegible] non [illegible]
[illegible] recusatur [illegible]
recusans debet offerre [illegible] iudice
recusato [illegible] quod non [illegible] iudex [illegible]

[illegible] ... ut dicit ... glo ... [illegible]

Inno ... [illegible]

Inno ... supra eodem ... [illegible]

[illegible]

prodire tamen non possit qui(a) separatur (ab) eo quantum gratia(m)
rationis ff. de g(esti)i (et) debiti l. ultima et datur quod
ipse actus contradictarius (et) na(m) l(ex) appellatio non potest, acto ut
accepto et tamen quod ubi desinitur si(c) g(e)o interposita. Oportet
dari illo potest opponere duabus illis gratiis. Et quod patet de actore
ubi nam legem non possit actor opponere quando accede[re]
[illegible] replicationes ff. de except. l. ii
potest tamen quando replicationes ff. de except. l. ii
An appellans in libello appellationis possit allegare
nullitatem et iniquitatem ut quia quod dicitur nullam sententiam
et si quod esse duos iniqua aliquid dicit quod non quod si
ipse [illegible] l. ff. de iure patro-
natus dicit quod actor non potest reus sit quod potest esse
contrarius ut [illegible] In [illegible] et dicit de integri
restitutione [illegible] quod quibus potest et dicit casu appellationis
[illegible] Et si fuerit appellatio duos effectus [illegible] et contrario
vel suspendendi [illegible] ad unum est conferre
[illegible] repugnantia quod [illegible]
esse non possit suspendi [illegible] quod non est si
quantum ad effectum [illegible] repugnantia quod appellatio
est [illegible] devolvitur et ideo quod [illegible]
quod appellatio est actus contradictarius quod potest dici
[illegible] ut [illegible]
cum aliquo eo [illegible] et [illegible] actu [illegible]
[illegible] quod [illegible] iudicio [illegible]
[illegible] libello [illegible] iudice [illegible]
[illegible] quod procedat quod appellatio [illegible]
[illegible]
[illegible]
[illegible] Adde quod nullitas
[illegible] ex eodem fonte
et iniquitas [illegible] ut
[illegible] quod [illegible] iudice
quod [illegible] absolute
[illegible] quod [illegible]
Et [illegible]
[illegible] ut [illegible]
[illegible]
[illegible] quod [illegible]
[illegible] Restat quartum
[illegible] appellatio dicitur quod si
[illegible] et iniquitas
[illegible]
[illegible] de appellatione et dicitur quod appellatio fuit [illegible]
de [illegible] si aliquid est [illegible] quod [illegible]
[illegible] fuit appellatum [illegible] addere [illegible]
[illegible] appellatum quod [illegible] fuit [illegible]

dicitur [illegible] ff. et [illegible] aut [illegible]
[illegible] et si
voluerit [illegible] appellatione [illegible] et [illegible]
[illegible] quod [illegible] iudicare [illegible]
[illegible] de [illegible] et [illegible]
Et [illegible] appellatio non fuit [illegible] ad
[illegible]

[Q]uarto nullitas appellationis et ibi movet [illegible] quod quando
vel an [illegible] sententia [illegible] et petita [illegible] declaranda
sit et [illegible] ut [illegible] copia [illegible]
[illegible] ut [illegible] iterum [illegible] quod dicto
[illegible] et [illegible] appellationis habet [illegible] allegare
nullitas [illegible]
appellatio non durat nisi [illegible] que quanto tempore durat
appellatio [illegible] dixi de [illegible] quod [illegible]
[illegible] appellatione [illegible] ad [illegible] quod illud
[illegible] remedium [illegible]
dicit quod [illegible] appellatione de nullitate agi non
[illegible] appellationem [illegible] dicit quod [illegible] non
[illegible] nullitate [illegible]
[illegible] nullitate [illegible]
[illegible] appellatione non [illegible]
[illegible]

[illegible] ut [illegible] et iterum
[illegible] quod et quod
[illegible] posse [illegible] nullitate
[illegible] dicit [illegible] quod [illegible] et
[illegible]

[illegible]

Appellatio [illegible]
[illegible]

et [illegible] sent [illegible] est [illegible] renovari
[illegible] qui non [illegible] [illegible] si [illegible]
non petat [illegible] [illegible] capitulo [illegible] in
qui si petat [illegible] solum [illegible] illa [illegible]
[illegible] [illegible] quod [illegible] [illegible] [illegible]
[illegible] [illegible] tenens et [illegible] non [illegible]
deducendo [illegible] si appello [illegible] quod me [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible] solum de
[illegible] [illegible] et [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] non esse
[illegible] et [illegible] appellans et [illegible]
appellans [illegible] [illegible] non appellasse
ut [illegible] [illegible] de [illegible] [illegible]
[illegible] et de [illegible] non [illegible] In [illegible]
[illegible] [illegible] [illegible] tenet et
[illegible] non de [illegible] [illegible]
[illegible] [illegible] [illegible] non appellatum [illegible]
[illegible] [illegible] appellatum quo [illegible]
[illegible] [illegible] [illegible] appellatum
et [illegible] [illegible] [illegible]
[illegible] [illegible] appellatum et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
aut non [illegible] [illegible] et [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] appellatum
ut [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] appellari
ut [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] appellatum [illegible]
[illegible] [illegible] [illegible] [illegible] appellationem
[illegible] [illegible] [illegible] [illegible] [illegible]
ad delegatum appellari [illegible] [illegible] non [illegible]
appellatum [illegible] [illegible] [illegible]
[illegible] appellari ad [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] appellari
et [illegible] [illegible] [illegible] [illegible]
[illegible] appellare ad [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] appellare ad [illegible] ab
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] appellare [illegible] [illegible]
appellatur [illegible] [illegible] non [illegible] ut [illegible]
[illegible] [illegible] [illegible] appellare [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] repugnans [illegible] appellans [illegible] [illegible]
appellari a delegato [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible] derogatur generi [illegible]
de aliis inferioribus [illegible] appellare [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
iudici ab illo appellari ad [illegible] [illegible]
[illegible] [illegible] [illegible] derogat
generi [illegible] [illegible] [illegible]
[illegible] non [illegible] derogando [illegible] [illegible]
[illegible] [illegible] appellare [illegible] [illegible]
[illegible] [illegible] delegatum [illegible] derogat [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] delegati
non [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] appellare de [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] appellans
[illegible] [illegible] appellatum [illegible] [illegible]
[illegible] [illegible] appellare [illegible]
[illegible] [illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] appello [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] appellans
et [illegible] [illegible] appellare [illegible]
[illegible] [illegible] me appellasse et [illegible]
[illegible] non [illegible] [illegible] [illegible] [illegible]
[illegible] appellans [illegible] [illegible] [illegible]
[illegible] [illegible] ut de [illegible] non [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
a quo [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] appellans [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

[illegible]

et quia dicitur hic predicta procedunt legis latoris [illegible]

[illegible]

[illegible]

[illegible]

[illegible] supra eo [illegible] agere [illegible]
[illegible] in [illegible] non [illegible]
non tenet [illegible] quod impeditur [illegible] termino [illegible]
[illegible] et in [illegible] [illegible] in novitatem
[illegible] non solum cum [illegible] [illegible] non admisit
[illegible] decem [illegible] ut [illegible]
[illegible] vendebatur [illegible] et novitatem [illegible]
quod in novitatem fuerit [illegible] [illegible]
[illegible] ut [illegible] [illegible]
[illegible] aliquid [illegible] quod [illegible] querebat
[illegible] et [illegible] [illegible] quod [illegible] et [illegible]
[illegible] quod [illegible] agebat quod [illegible] et [illegible]
[illegible] et [illegible] quod [illegible] agebat
et in [illegible] in tandem [illegible]
quod dicebat [illegible] quod [illegible] et
[illegible] et [illegible] ab
[illegible] et [illegible]
[illegible] et [illegible] erat
[illegible] quod [illegible]
[illegible] tandem
[illegible] et [illegible] non
[illegible] ut [illegible] non [illegible]
[illegible] et [illegible] et [illegible]
[illegible] non [illegible] aperitur [illegible] dicitur
quod [illegible] dicebat
quod [illegible]
[illegible] et [illegible] de
[illegible] ut [illegible]
non vendere et [illegible] non [illegible]
[illegible] non [illegible] quam
[illegible] ut [illegible] et [illegible] debuit
audiri et [illegible] et [illegible]
[illegible] non audiri [illegible] non [illegible] de
[illegible] non [illegible] de [illegible]
[illegible] non [illegible] quod [illegible]
vendebant carnes [illegible] interest
quod de [illegible] vendebant carnes
[illegible] aliqui
[illegible] quod non [illegible]
[illegible] in [illegible] quo
[illegible] carnes vendere
et quod [illegible] monopolium [illegible]
de monopolio [illegible] in monopolium
et [illegible] cum aliquo [illegible] quod [illegible] dicatur
[illegible] ut [illegible] [illegible]

[illegible] non [illegible] monopolium ut fit monopolium quod [illegible]
[illegible] agere [illegible] [illegible] ut
[illegible] in quod [illegible]
[illegible] et [illegible] in quo [illegible]
[illegible] de [illegible] quod quilibet in [illegible]
in [illegible] et [illegible] mandata
in [illegible] quilibet [illegible]
[illegible] et carnes vendere [illegible]
[illegible] quod [illegible] quo [illegible]
[illegible] non [illegible]
[illegible] ut [illegible]
[illegible] ut [illegible]
[illegible] alios ne venderet ut [illegible] aliqui
[illegible] carnes
et [illegible] et [illegible] carnes
et [illegible] quod [illegible]
[illegible] quam [illegible]
[illegible] et [illegible] de [illegible]
[illegible] de [illegible] et [illegible]
quod [illegible] et [illegible] non
[illegible] quod [illegible]
[illegible] de [illegible] et
[illegible] de [illegible]
quod [illegible] et [illegible]
[illegible] ex longo [illegible]
[illegible] non [illegible] alibi
[illegible] vendere [illegible]
[illegible] non [illegible] aliud [illegible] de
[illegible] [illegible]
[illegible] cum
[illegible] ut quod [illegible] et
[illegible] et [illegible] et [illegible]
[illegible] intelligi
[illegible] et [illegible]
[illegible] dictionis [illegible]
[illegible] ut [illegible] qui
[illegible] debere [illegible]
de quo [illegible] et [illegible]
[illegible] et [illegible] non
[illegible] alios [illegible]

O p. b. iudex debet impedire quod affinis cum alia separa[...] cum lite [...] de quo [...] singulariter non [...]

[illegible]

Et si in eo non procedit in pratica [...]

quod iudex [...]

[illegible]

[illegible] requirat credere exceptionis fore plenam vel apertam offert si probanda sit appellationis iudex non debet deferre [illegible] refutatorios et appellans probat causam [illegible] iudice [illegible] et si non probabit remittetur [illegible] [illegible] si [illegible] ut [illegible] appellationis exceptionis [illegible] debet iudex admittere [illegible] appellationis requirat vel tacite admittendum [illegible] si requirat [illegible] appellationis [illegible] admittetur [illegible] iudex [illegible] interrogare [illegible] exceptionis aperta vel exceptionis offerenti [illegible] [illegible] [illegible] causam [illegible] exceptionis [illegible] [illegible] admittebatur [illegible] non [illegible] [illegible] exceptionis offerenti [illegible] [illegible] si non admitteretur [illegible] et [illegible] appellat et si forte [illegible] [illegible] [illegible] delegatus [illegible] [illegible] exceptionem [illegible] [illegible] appellationis [illegible] non admittebatur exceptionis vel oblatam [illegible] et [illegible] non et si exceptionis offerat [illegible] et non admittitur et appellat [illegible] [illegible] [illegible] exceptionis [illegible] [illegible] [illegible] offerret [illegible] [illegible] agitatur [illegible] [illegible] [illegible] appellationis [illegible] [illegible] et [illegible] terminum [illegible] exceptionis [illegible] si exceptionis appellat male appellat [illegible] non [illegible] exceptionis admittendo [illegible] iudex [illegible] [illegible] appellationis [illegible] non remittitur [illegible] appellans afferebat [illegible] exceptionis non admisse [illegible] appellationis vel [illegible] [illegible] iudice [illegible] nisi oblatam [illegible] [illegible] [illegible] [illegible] quo [illegible] [illegible] appellans sufficiat [illegible] oblatam [illegible] non [illegible] sufficiat quo [illegible] [illegible] [illegible] ut [illegible] de testibus [illegible] [illegible] [illegible] [illegible] iudex [illegible] [illegible] [illegible] [illegible] et [illegible] terminum admittere iudex [illegible] forte [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et iudex [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] admittere [illegible] appellationis

appellationis [illegible] exceptionis non admissa [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] iudex [illegible] iudicis [illegible] [illegible] exceptionis [illegible] et [illegible] verbalis afferendo [illegible] [illegible] non [illegible] verbales nisi [illegible] et afferat [illegible] testes [illegible] [illegible] et [illegible] [illegible] sufficere [illegible] [illegible] [illegible] [illegible] [illegible] afferat [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] affert [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] forte [illegible] [illegible] [illegible] [illegible] oblatam [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] exceptionis et offerre [illegible] verbalis [illegible] exceptionis offert [illegible] appellationis [illegible] [illegible] [illegible] [illegible] [illegible] de exceptionis [illegible] [illegible] [illegible] [illegible] et non [illegible] et iudex non admittendo [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] iudex [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] iudex [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] iudex non [illegible] admittere [illegible] [illegible] exceptionis appellat [illegible] non fuit admissus afferendo [illegible] et iudex [illegible] [illegible] [illegible] [illegible] iudex appellationis [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] appellationis non [illegible] [illegible] appellationis [illegible] [illegible] [illegible] appellans [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] appellationis [illegible] [illegible] appellationis remittendo [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] iudice [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] appellationis [illegible] [illegible] appellante [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible]

[illegible]

lex quo decidit [illegible] ... [illegible]
... non [illegible] ...
... et c. ... et ... decidit ...
... decidit est relevandum ... [illegible] de quo
... agitur quod ... introducta
fuit [illegible] ... interficiebat ...
... et ... dicitur quia
... non posse protestari ...
... quod ... quo posset fieri
protestatio et non ... appellationis fiet ...
... protestationi ... protestabitur ...
... et ... exprimere ...
quia protestatio subrogatur in locum appellationis ...
... protestatio
... iudice
... appellationis ... protestatur ...
appellationi ... non ... dicat ... quod
... de ... de
... de testi[bus] ... et ...
... de peregrinis [?]

Remedio appellationis defendunt ... et
... peregrinatores cum ... et ...
... omnium ... et
... de ... c. ...

[illegible] ...

audis quod ... intelligere ... quod ...
... et quod ... appellationis
... tempore ... et ...
... i. ... c. ...
... et ...
... et ... de ...
... de confirmatione [?]

Cuius domini ... de quo ... appellationis
remedio ... de quo ...
confirmationis ... defuit non ...
... deformis confirmationis
et ... quod non ... dicit ...
... forme
... de ...
de re ... confirmatione ... inferior non cognoscit ...
... confirmationis ...
... de ... de ...
... inferiori ... de confirmationibus
... non ...
... non ...
... de ... inferiorem
de ... colonus ...
... appellationis ...
... non ...
... non ...
... de ...
... non ... inferior non cognoscit quod
... et ...
...

[illegible]

[illegible]

inquirendis [illegible] q si non [illegible] confirmabitur

tot temeritate [illegible] appellantes q defensiones

non fecerint [illegible] [illegible] licentia non [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible]

[illegible]

[illegible]

Innovaro[illegible] confirmacionis non

[illegible]

[illegible] non [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible]

[illegible]

[illegible] fuit [illegible] non fuit [illegible] ... [illegible]

... et [illegible] ... [illegible]

[illegible] privilegia [illegible] ... [illegible]

... [illegible]

[illegible] obedientiam et [illegible] ... [illegible]

[illegible] religiosos [illegible]

... [illegible]

[illegible]

... [illegible]

d. q. si aped. et c. si apposte [illegible] decemptem [illegible]
gare hoc non perdit [illegible] non minuit
[illegible] cultor [illegible] ordinaria [illegible] conductu [illegible]
[illegible] non quatur minuimus [illegible] i. debet.
[illegible] et si heres ut dixi [illegible] de reuendi
[illegible] et [illegible] non [illegible]
[illegible] et [illegible] de [illegible]
[illegible] non [illegible] interdicat [illegible]
[illegible] legatum et [illegible]
[illegible] non [illegible] illud [illegible]
[illegible] apos. [illegible] nomine [illegible] tribuit ut
[illegible] c. venie[illegible]

[illegible] ecclesia [illegible]
[illegible]

[illegible] non [illegible] Albani [illegible]
[illegible] Franciscum [illegible] cum [illegible]
[illegible] debebitur [illegible] interesse [illegible]
[illegible] tenere [illegible] et [illegible]
[illegible] videbitur teneri [illegible]
[illegible] et [illegible] procedebat [illegible]
[illegible] cum [illegible] de [illegible]
[illegible] interuenire [illegible] de decimi
[illegible] An [illegible]
[illegible] cum [illegible]
[illegible] Interdum [illegible]
[illegible] Interdum [illegible] fructum
[illegible] non [illegible] tenere
[illegible] de [illegible]
[illegible] non [illegible] layca [illegible]
[illegible] et [illegible] interuenit
[illegible] ut [illegible]
[illegible] ut [illegible] de decimi [illegible]
et ibi dicit [illegible] cum [illegible]
[illegible] interuenire [illegible]
[illegible] ut [illegible]
fructibus [illegible] non
[illegible] interuenire ut [illegible] de decimi [illegible]
[illegible] et [illegible] admittitur
[illegible]
non [illegible] de [illegible]
[illegible] de decimi [illegible]
[illegible]

[illegible] layci [illegible] in feudum [illegible]
[illegible] traditur [illegible]
[illegible] layci qui [illegible]
[illegible] parte [illegible]
non [illegible]
[illegible] de decimi [illegible]
[illegible] possit fieri [illegible]
[illegible] non [illegible]
[illegible] Ingl[illegible]
[illegible] de [illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible]

[illegible] non [illegible]
[illegible] ecclesie [illegible]
alteri ecclesie [illegible] legatum [illegible]
[illegible] non [illegible]
[illegible] alius [illegible]
[illegible]
legatus de latere [illegible] ordinarius [illegible]
[illegible] et [illegible] plena [illegible]
[illegible]
[illegible] non [illegible] ecclesie [illegible]
[illegible] et [illegible] legatus
[illegible] ecclesias [illegible] non [illegible]
[illegible] non [illegible] de [illegible]
[illegible] Contra [illegible]
[illegible] legato ut possit ordinario [illegible]
[illegible] et [illegible]
[illegible] ut [illegible]
de [illegible] et [illegible] male [illegible]
[illegible] forte [illegible]
[illegible] non [illegible]
[illegible] legatus [illegible]
[illegible] ecclesie et alteri
[illegible] de [illegible]
[illegible] legatus
[illegible] non [illegible]
[illegible]
[illegible] ecclesie [illegible] legatus
[illegible] et [illegible]
[illegible] et [illegible]

dr q9 q9 [illegible] i fine [illegible] collidit
i [illegible] et [illegible] felicite sunt subiectum

[illegible] sunt legalis est [illegible] legis
[illegible] dirigit i bonum [illegible]
[illegible] [illegible] liberas [illegible]
[illegible] [illegible] subiectis
[illegible]

[illegible]

[illegible]

[illegible] de pec[illegible] q[illegible] i[illegible] [illegible] [illegible]
[illegible] de [illegible] q[illegible] i foro pnie q[illegible] pena
de pec[illegible] de [illegible] et [illegible] ad [illegible] i [illegible] de [illegible]
[illegible] no[illegible] [illegible] [illegible]
[illegible] no[illegible] [illegible] de
[illegible] culpe [illegible] pena [illegible] de [illegible]
[illegible] ut [illegible] de [illegible]
[illegible] no [illegible] certa pena
[illegible]
[illegible] [illegible] anor[illegible] pena
[illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] peccatorib[illegible]
[illegible]
[illegible] [illegible] et [illegible]
[illegible]
[illegible] [illegible] [illegible]
[illegible] de [illegible] ad [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] regulari i
foro [illegible] absolui [illegible] pena
absoluere [illegible] absoluere [illegible]
no [illegible] [illegible] vel
absolvo te a pena eterna [illegible]
[illegible] cas[illegible]
[illegible] no [illegible] no [illegible]
[illegible]
[illegible] [illegible] absolui de [illegible]
et de [illegible] [illegible] indulge[illegible]
[illegible] thesauro [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] indulgencie
[illegible] et [illegible] [illegible]
[illegible] [illegible] indulge[illegible]
de [illegible] [illegible] pena
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] thesauro [illegible]
[illegible] [illegible] [illegible]
[illegible] martirum et [illegible]

[illegible] sufficere [illegible]
[illegible] [illegible] et [illegible]
[illegible] [illegible] clauis thesauri
[illegible] [illegible]
[illegible] [illegible] penas et culpas [illegible]
[illegible] eterna [illegible] debetur [illegible]
[illegible] de [illegible] [illegible] et [illegible]
[illegible] culpa [illegible]
[illegible] [illegible] [illegible] hoc modo
vel [illegible] totum [illegible] et [illegible]
[illegible] [illegible] et [illegible]
et [illegible] [illegible]
[illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] indulgentie mortuis [illegible]
[illegible] defunctorum [illegible] [illegible]
[illegible] no [illegible] [illegible]
terrestri [illegible] no [illegible] defuncto[illegible]
[illegible] no [illegible] [illegible]
[illegible] ut elemosine et [illegible] et [illegible]
[illegible] et [illegible] no [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible]
no [illegible] [illegible]
[illegible] [illegible] [illegible]
no [illegible] [illegible]
[illegible] no [illegible] [illegible]
caritate [illegible] mortua [illegible] caritas
et [illegible] [illegible]
[illegible] caritate [illegible]
[illegible] [illegible] [illegible]
[illegible] indulgencia [illegible]
[illegible] no [illegible] de [illegible] pena
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] indulgencia [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] purgatorio [illegible]
i indulge[illegible] [illegible]
[illegible] anor[illegible] pena [illegible]

et propter hoc secundum aliquos dans cum maiori de-
votione plus meretur quam dans cum minori
vel dans plus quam minus et dicitur quod extensive
tamen unus contra alium intensive non quia
plus datur remittitur in extensivo quam tan-
tum. Alii dicunt quod in toto exigitur pro et
ut dicit quod eorum quibus participatur in beneficio
quo ad quos aliquis devotio tamen maior
vel maior elemosina quibus quo adiutus
quoad tertium requiritur aliquid ut indulgentia
efficax indulgentias pro quibus conceduntur pietas
secundo veritas loci vel dignitas in loco tertio de
loco fidei quod credat ecclesie habere potestatem
hanc. Item quod sit contritus. Item dispositio
peccatoris in tractatu. Item iusta causa ut
[illegible] quod simpliciter dimittitur. Ponderan-
dum tamen quod quedam in indulgentiis requiruntur
pertinentia dantis quedam pertinentia [illegible] ut la-
bore propter se [illegible] liberalitas cum
iustitia ex dat requiruntur honore et de-
votione et utilitate ecclesie a quo plus [illegible]
liberalitas quam iustitia. Sic cum ergo
aliqui queritur cum quod valeant tales remissiones
et [illegible] et [illegible] ubi plus [illegible] si quis
bonum annum de indulgentia [illegible] pena
purgatorii minus sentiet. Et [illegible] alii dicunt
quod per defectum [illegible] confessor non concedit [illegible]
sit subiectus indulgenti et ipsa [illegible] et propter
theologos communiter [illegible] quod concedens [illegible]
potestatem concedendi [illegible] 2 [illegible]
quod hoc [illegible] minus [illegible] diminutus [illegible]
[illegible] non sit [illegible] remissio non
[illegible] devotorum [illegible] et [illegible] qui [illegible]
et [illegible] mensura [illegible]
[illegible] mensura [illegible]
[illegible] dici [illegible] veritas de-
[illegible] et voluntate et potestate
[illegible] indulgen-
[illegible] et minus valet in indulgen-
[illegible] quod effusio [illegible] Christi
et [illegible] thesaurus in [illegible] ecclesie
[illegible] claves [illegible] ecclesia [illegible]
[illegible] et corrigere et [illegible] in [illegible]
[illegible] quod una gutta [illegible] Christi [illegible]

[illegible] ad requisitionem omnium peccatorum [illegible] qui sunt
fuerunt et erunt vel esse poterunt. Considera-
tum quod tales indulgentias [illegible] sibi
[illegible] in purgatorio et in hac vita
[illegible] agere [illegible] sibi in [illegible] potuisse quod in
uno [illegible] medium [illegible] ut in [illegible]
[illegible] medium [illegible] et [illegible]
[illegible] tamen quod si [illegible] se [illegible]
illa et [illegible] quod [illegible] quod [illegible] apud [illegible]
[illegible] claves [illegible] et [illegible]
terrena [illegible] nimis
[illegible] thesaurus ecclesie si non sit re-
[illegible] nisi [illegible] habundanti. Contrarium
[illegible] quod dans indulgentiam non applicat [illegible]
[illegible] modicum. Contra [illegible]
[illegible] requirere [illegible]
[illegible] apud [illegible] deservi [illegible]
[illegible] penitentia [illegible]
[illegible] sicut unus [illegible] alius [illegible]
[illegible] in thesauro ecclesie non sunt [illegible]
[illegible] debet [illegible] aliquis [illegible]
[illegible] ecclesia [illegible]
[illegible] passionum Christi [illegible] mea [illegible]
[illegible] ecclesia [illegible] semper [illegible]
[illegible] distribuitur [illegible]
de [illegible] arbitrio illius [illegible]
Ille [illegible] et [illegible] concessit
[illegible] indulgentias concedere ut [illegible]
[illegible] confessoris [illegible]
[illegible] de confessoribus
[illegible] concessio [illegible]
[illegible] volens uti in indulgen-
[illegible] non [illegible] indulgenti [illegible]
[illegible] non videntur [illegible]
[illegible] claves. [illegible]
[illegible] non
[illegible] quod non [illegible] concedentes [illegible]
ligare [illegible] quod quia ad [illegible] negli-
[illegible] est [illegible] melius
[illegible] negligenti [illegible] diligenti [illegible] non sit [illegible]
[illegible] qui plus [illegible]
[illegible] concedit [illegible] clavibus [illegible] quod
non possit concedere plus [illegible] qui
claves habet [illegible] contra [illegible]

[illegible] ergo quod [illegible] publicum [illegible] confessio confessionis non publica non [illegible] nisi [illegible] ut confessio [illegible] quidam [illegible]

Non [illegible] qui per [illegible] non [illegible] tamen [illegible] confessio [illegible] non posse quod est [illegible] quod [illegible] non est [illegible] nisi [illegible] de [illegible] qui [illegible] absolutus [illegible] non sit [illegible] ut sequitur [illegible] de [illegible] qui [illegible] mortali [illegible] ad quod [illegible] de [illegible] in [illegible] ad penam [illegible] non posset [illegible] penam non [illegible] malo [illegible] quod non [illegible] bono [illegible] mortali [illegible] quod [illegible] ut [illegible] non [illegible] de [illegible] de [illegible] obligari si non [illegible] sicut [illegible] ad vitam eternam [illegible] et [illegible] penam [illegible] in bono [illegible] ad penam [illegible] ut [illegible] malo statu [illegible] supplicium [illegible] ut dicit glossa.

Cum ergo [illegible] caritatis [illegible] penam [illegible] non [illegible] vel in mortali [illegible] de [illegible] obligatur [illegible] non [illegible] de [illegible] de [illegible] de [illegible] supplicium [illegible] aliud [illegible] mortis [illegible] mortuus [illegible] et mortificatus [illegible]

[illegible] glossa de [illegible] mortuus qui fuit in mortali, mortificatus qui fuit [illegible] caritatis et [illegible] morte [illegible] mortificatus qui [illegible] publicum [illegible] mortuus tamen licet non [illegible] ad [illegible] vite eterne [illegible] tamen [illegible] aliud [illegible] de [illegible] in glossa [illegible] vero [illegible] non [illegible] et mortem [illegible] in mortali [illegible] non [illegible] actum moralem [illegible] theologice [illegible] tamen [illegible] glossa [illegible] bonorum sicut [illegible] de [illegible] de [illegible] ad aliud [illegible] dyabolus [illegible] sicut [illegible] de [illegible] qui se munierat [illegible] signo crucis de quo dicit dyabolus [illegible] signaculum ut [illegible] de [illegible] signatus de [illegible] dicitur [illegible]

[illegible] penitentes [illegible] negligentes [illegible] deponuntur et [illegible] publica [illegible] publice [illegible] postulat [illegible] non [illegible] ut [illegible] publicum [illegible] de [illegible] ecclesia [illegible] negligentia negligentibus [illegible] et in glossa [illegible] publicam culpam [illegible] publicam [illegible] non [illegible] negligentia [illegible] qui

[illegible] arbitrarie [illegible] excessus [illegible] et reliquas circumstancias [illegible] et [illegible] de [illegible] de [illegible] non [illegible] servus [illegible] fratribus [illegible] enormibus [illegible] et blande [illegible] regulas [illegible] in fide

[illegible] de uxori et [illegible] et [illegible]
[illegible] et [illegible] et [illegible] in fine
[illegible] in glo[ssa] [illegible]
[illegible] instructam
[illegible] expediret [illegible] officii

[illegible] suppleat [illegible]
et hoc non [illegible] marito [illegible]
de [illegible] officii [illegible] hoc [illegible]
[illegible]
[illegible]
debuisset [illegible] ab intestato et si
non [illegible] non [illegible] qui [illegible]
[illegible] ab intestato [illegible]
[illegible] non [illegible]
[illegible] et [illegible] maritus
[illegible] corpus [illegible]
[illegible] inferiores [illegible]
et maritus [illegible] et [illegible]
[illegible] mortis [illegible] non [illegible]
[illegible] et [illegible]
[illegible] fieri [illegible]
[illegible]

[illegible] non [illegible] maritus
[illegible]
[illegible]
[illegible] corrigit et [illegible]
[illegible]
[illegible]
[illegible]
[illegible] non [illegible]
[illegible] non [illegible] non [illegible]
[illegible] et [illegible] Anglia [illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible] de [illegible] et [illegible] de [illegible]
[illegible] non [illegible] et [illegible]
[illegible] et [illegible] ecclesie
[illegible] non [illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible]
[illegible] et [illegible]
[illegible] matri
[illegible] de [illegible] ecclesie [illegible]
[illegible] et [illegible]

et [illegible] qui [illegible]
[illegible] in [illegible]
[illegible] et [illegible] de [illegible]
[illegible]
et [illegible] quod [illegible]
[illegible] et [illegible] de [illegible]
[illegible] non [illegible]
[illegible]
[illegible] non [illegible]
[illegible]
[illegible]
[illegible] non [illegible]
[illegible]

[illegible]
[illegible]

[illegible] in cimiterio [illegible]
[illegible] et [illegible] clerici
[illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible]
[illegible] de [illegible]
[illegible] et [illegible] de
[illegible] non [illegible] non [illegible] non
[illegible] sepultura [illegible]
[illegible]
[illegible] non [illegible]
[illegible] ad [illegible]
[illegible]
[illegible] et [illegible]
[illegible] ecclesie [illegible] non [illegible]
[illegible]
[illegible] interdicto ecclesie [illegible]
[illegible] interdictum [illegible] de [illegible]
[illegible] clerici [illegible]
[illegible] non [illegible] et [illegible]
de [illegible] interdictum
[illegible]
[illegible]
[illegible] et [illegible] cimiterii [illegible]
[illegible] quo [illegible] quo ad
[illegible]
[illegible]
[illegible] de [illegible]
[illegible] de [illegible]
[illegible] in loco interdicto [illegible]
[illegible] et [illegible]
[illegible] interdicto [illegible]
[illegible] in cimiterio de [illegible]
[illegible] non [illegible]

pulsum campanas ut ibi et̃ p̃ de quint̃ q̃mo
nullus de q̃stiõe cũ mꝰ f. hos et c̃ rõ q̃
pulsacio campanarũ ĩ sig̃ nũ hora⁊ et
diuiña⁊ offic̃ de offic̃ custo c̃ ij C[illegible]
[illegible] q̃ hos duo hos ĩ eccl̃ia nõ lic̃
[illegible] dicẽ horas cũ [illegible] nũ̃ [illegible] hoc
dic̃ ut ĩ c̃ [illegible] decreta de p̃g̃ na
[illegible] q̃ [illegible] ptĩ dic̃ et nõ. de offi
ar [illegible] q̃mo [illegible] [illegible]
[illegible] nõ [illegible] [illegible] morti q̃ [illegible]
[illegible] [illegible] dic̃ hac ut [illegible]
c̃ [illegible] [illegible] [illegible] [illegible]
dei [illegible] [illegible] [illegible] de [illegible]
[illegible] [illegible] c̃ [illegible]

Cõcilium [illegible] [illegible] [illegible]
et [illegible] 3 [illegible] [illegible] ij ibi sig̃
m ibi sacerdos aut̃ et [illegible] de q̃fessiõe
et [illegible] [illegible] ĩ anno [illegible] eukaristiã re
[illegible] [illegible] et de [illegible] q̃fessionem
et [illegible] [illegible] de q̃fessio [illegible]
sacerdoti [illegible] [illegible] q̃fessore
[illegible] de [illegible] ĩ [illegible] [illegible]
[illegible] ĩ [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] ĩ [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] arti
q̃fessionis et [illegible] arti ĩ [illegible]
[illegible] nõ [illegible] [illegible] ĩ quo
[illegible] [illegible] [illegible] nõ [illegible]
solue nõ ob. [illegible] [illegible] de q̃ de [illegible]
[illegible] [illegible] morti [illegible] [illegible]
[illegible] et ĩ [illegible] [illegible]
[illegible] nõ [illegible] ĩ [illegible] q̃fiteatur
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] nõ de [illegible]
[illegible] ĩ [illegible] [illegible] [illegible]
[illegible] nõ [illegible] ĩ anno [illegible] q̃fitendis
[illegible] ĩ [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] medicum
[illegible] et [illegible] [illegible] medi
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] nõ
ĩ [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] nõ [illegible] [illegible] et [illegible] nolue
ri [illegible] [illegible] nõ [illegible] [illegible]
[illegible] [illegible] sacerdos

[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] hos
[illegible] [illegible] [illegible] [illegible]
Et [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] custodia [illegible] [illegible]
[illegible] ut [illegible] [illegible] [illegible]
[illegible] lege [illegible] [illegible]
[illegible] [illegible] [illegible] nõ
[illegible] [illegible] [illegible] [illegible]
decta et [illegible] et ibi nõ. de
offi ar [illegible] de [illegible] [illegible]
de offi arch [illegible] ut [illegible]
[illegible] [illegible] fide et morib; et de [illegible]
[illegible] de [illegible] [illegible] [illegible]
[illegible] de [illegible] et [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] negligẽ [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] alia
cũ [illegible] reddere [illegible] de offi ar
[illegible] de [illegible] nõ cũ [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] nõ [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
negligens dormiens [illegible] dormiens [illegible]
nõ dormiebat [illegible] dormiet [illegible]
[illegible] [illegible] nõ dormiunt [illegible]
dormit [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] dormiet [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] nõ [illegible] [illegible] [illegible]
[illegible] et [illegible] nõ [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et nõ de [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] Et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et ĩ [illegible] [illegible] [illegible] [illegible]

d. pon eo et quo presit et i ipsa uerios
q uertendo de qua q il et illa predict
de p[ro]p[ri]o sit eo at in no aliqbz q[ue]mo
aliter de dece eu sunt q qui dicit limi
te quatu ad p[ar]rochias p dyst[ri]ct[u]s
[illegible] et restringi de [illegible]
[illegible] [illegible] deceri [illegible] adiudicat
q[ue] ut de[illegible] cura temi[n]e [illegible] cuiusq[ue]
redde [illegible] de [illegible] et [illegible]
[illegible] de [illegible] i [illegible]
[illegible] ep[iscop]o [illegible] fcit ut [illegible]
i [illegible] de off[ici]o [illegible] c. i. et [illegible]
et ep[iscop]us [illegible] et [illegible] et i
offic[ia]l[is] [illegible] de [illegible] de [illegible]
i [illegible] et i [illegible] de
[illegible]

[illegible]

ut [illegible] [illegible] cui [illegible]
[illegible]

[illegible] q̄ v q̄ actꝰ ut iteriores affecti
iones. Si pro dō acto et q̄ verba q̄ i
supio g̃ie patent. Est etiam virtus. Si pro dō
actꝰ [illegible] primarium eius ꝑ q̄ recipitur virtus
[illegible] et ꝑfectꝰ eius g̃o [illegible] actꝰ vir
tuosus [illegible] i supioꝝ [illegible] non ꝑfectꝰ [illegible] non
de spē di [illegible] et [illegible] virtus
reducibiles [illegible] q̄ [illegible]
[illegible] Sz [illegible] pnia [illegible] degeneribꝰ
[illegible] non dicit [illegible] capiatur [illegible]
[illegible] Sz [illegible] [illegible] i [illegible]
g̃ia [illegible] non [illegible] [illegible] ecclūtibꝫ
[illegible] q̄ non [illegible] mereri [illegible] demoni
[illegible] actu passionis [illegible]
[illegible] dicit [illegible] [illegible] quo g̃ras
[illegible] q̄ [illegible] defuctoꝝ et [illegible]
[illegible] ponibilitas non. Et
[illegible] Sz q̄ e pnia
[illegible] de pnia q̄ e plangere
[illegible] et plangenda [illegible] gmittenda
[illegible] dolentes [illegible]
[illegible] de spē [illegible] pnia. Si
[illegible] gtendit q̄ pot [illegible]
[illegible] plangenda [illegible] gmittē [illegible]
[illegible] et [illegible] ꝑfectꝰ [illegible]
[illegible] et [illegible] q̄ [illegible]
[illegible] q̄ pnia implicat totū [illegible] gmittitur
[illegible] q̄ pnia [illegible] non plus gmittendi [illegible]
i [illegible] non plus gmittendi [illegible]
[illegible] pnie [illegible] [illegible] ut [illegible]
[illegible] q̄ [illegible] [illegible]
[illegible] [illegible]
[illegible] et [illegible]
reducitur [illegible] q̄ [illegible]
[illegible] [illegible] de [illegible]
[illegible] q̄ g̃ias [illegible] non [illegible]
[illegible] et [illegible] q̄
[illegible] i [illegible]
[illegible] theologi [illegible]
q̄ [illegible] [illegible]
[illegible] introducta [illegible] i [illegible]
[illegible] et [illegible] et [illegible]
[illegible] q̄ [illegible] habent
[illegible] a deo introducta [illegible]
[illegible] et [illegible] deo [illegible] q̄
q̄ [illegible] non recipitur
[illegible]
[illegible] et [illegible] non [illegible]
non [illegible] de [illegible] q̄ i [illegible]
[illegible] i [illegible] q̄ [illegible] [illegible]

[illegible] non [illegible] [illegible]
[illegible] i cedit [illegible] ut
[illegible] Solipnus. [illegible]
q̄ i [illegible] clico nisi de [illegible] i [illegible]
[illegible] cū [illegible] et [illegible] dicit
ut [illegible] di i capite eū [illegible] pnie [illegible]
[illegible] [illegible] q̄ [illegible]
ut eū adulti baptizā. eū [illegible]
[illegible] q̄ quia [illegible] de mortalibꝰ [illegible]
de venialibus de spē di [illegible] [illegible]
[illegible] [illegible] [illegible] requiri
[illegible] [illegible] et de liberatio
de spē di [illegible] [illegible]
i [illegible] pnia [illegible] [illegible]
et [illegible] tabula et medicina ut hic
et [illegible] medicinē
et de [illegible] [illegible]
pnie requiri [illegible]
[illegible] de [illegible]
et i [illegible] bono [illegible]
[illegible] q̄ suffit [illegible]
[illegible] q̄ alii q̄ suffit [illegible] quo [illegible]
[illegible] pnie [illegible] alii q̄ suffit
[illegible] [illegible]
et i [illegible] [illegible]
[illegible] q̄ sufficit [illegible]
[illegible] non [illegible]
[illegible] [illegible]
[illegible] [illegible]
non a deo non [illegible] q̄ non
[illegible] [illegible]
[illegible] et [illegible] q̄ suffit [illegible]
[illegible] non [illegible]
[illegible] [illegible]
[illegible] eius non [illegible] q̄ suffit [illegible]
[illegible] totū i [illegible] q̄ [illegible]
[illegible] [illegible] totū
[illegible] q̄ implicat [illegible]
Alter q̄ [illegible] intelligere [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] et plus [illegible] q̄ [illegible]
[illegible] negat q̄ [illegible]
i plus [illegible] [illegible]
[illegible] totū [illegible] non [illegible]
[illegible] non [illegible]
[illegible] [illegible] plangi
[illegible] [illegible]
[illegible] q̄ [illegible] i [illegible] totū

n. i. ca. n. prima ... contritionis ... [illegible]
effectus eius primus ... in triplici contritio ...
... quedam actus ... virtus ... [illegible]
... non debet ... actus ... [illegible]
... debemus ... mediante virtute ... virtutis
... quo se affligit ... actus ... [illegible]
debet. Ex contritio virtutis ... qui
... recognoscens ... confessio ... et ... non
... virtus non ... [illegible]
... debet ... [illegible] ... Et
sufficit ... confessione certe ... [illegible]
confessionem ... cadit sub precepto ... [illegible]
... contritio debet ... [illegible]
... confessione ... contritionis ... [illegible]
ducit mortale ... et ... [illegible]
quo ... [illegible]
... contritio ... [illegible]
... debet ... peccata ... peccatum ... [illegible]
... debet quod sit ... [illegible]
... a deo non ... [illegible]
... a deo ... [illegible]
... [illegible]
non ... [illegible]
non ... [illegible]
non ... [illegible]
... contritio ... [illegible]
... a deo. Ex ... [illegible]
... quo ... confessione deo
... debet ... [illegible]
... debet ... [illegible]
... a deo ... debet ... [illegible]
... [illegible]
... [illegible]
... quod sit ... et non ... [illegible]
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... [illegible]
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... [illegible]
... et ... non ... [illegible]
... [illegible]
... [illegible]
... peccatis ... [illegible]
... debet ... peccasse et ... et non debet

... peccatum loquor ... peccato ... [illegible]
... [illegible]
... contritio non est ... [illegible]
... [illegible]
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... [illegible]
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... qui non ... [illegible]
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... [illegible]
... et non ... [illegible]
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... sufficiunt ... [illegible]
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... Et ... [illegible]
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Et ... [illegible]
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... [illegible]
... Et ... [illegible]
... [illegible]
... [illegible]
... [illegible]
... [illegible]
... [illegible]
... [illegible]
... [illegible]
... confessione ... [illegible]

ad[illegible] conf°

s[e] crede absolutum et ligatum sacerdotibus [illegible] potestatem [illegible] q[uia] [illegible] valet [illegible] humilitate q[ue] [illegible] et [illegible] [illegible] rendo [illegible] confitens. Et [illegible] manus humiliter se [illegible] coram sacerdote valet [illegible] gratiam [illegible] manus impositionem [illegible] notandum q[uod] quasi [illegible] q[ui] dei cor [illegible] ciat: valet [illegible] misericordiam et [illegible] [illegible] q[uia] sacerdotes [illegible] et [illegible] divine [illegible] et [illegible] tunt ad [illegible] [illegible] participatio[n]e de pe[nitentia] d. i. [illegible] et c. non [illegible]. De [illegible] confessio

ad conf°

q[ue] sacerdotes arbitrium [illegible] [illegible] in [illegible] et c. dei qui [illegible] [illegible] imperium [illegible] [illegible] [illegible] [illegible] ablatam et [illegible] [illegible] [illegible] [illegible] fieri ut [illegible] [illegible] malus [illegible] arbitrium confessio [illegible] contra [illegible] peccatum [illegible] plus [illegible] [illegible] mortificatio [illegible] de pe[nitentia] d. i. [illegible] Sacerdos [illegible] [illegible] et [illegible] de pe[nitentia] d. [illegible] [illegible] sacerdos et c. [illegible] [illegible] [illegible] quantum [illegible] et quantum pe[nitentia] [illegible] dei [illegible] et [illegible] peccator [illegible] [illegible] sacerdos [illegible] [illegible] q[uod] [illegible] dei [illegible] [illegible] [illegible] [illegible] plus q[uam] [illegible] et [illegible] sacerdos ad [illegible] [illegible] dei [illegible] [illegible] peccator ad obediendum

voluntarium [illegible] [illegible]

[illegible] dei [illegible] voluntarius q[uod] de [illegible] [illegible] [illegible] non [illegible] quis [illegible] [illegible] [illegible] de pe[nitentia] d. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] sacerdotes [illegible] [illegible] [illegible] [illegible] implere [illegible] [illegible] morte corporis et [illegible] [illegible] [illegible] de pe[nitentia] d. [illegible] [illegible] peccator non [illegible] [illegible] sacerdos [illegible] [illegible] quantum [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] et [illegible] dei et [illegible] non [illegible] [illegible] [illegible] quidam [illegible]

[illegible] absolvendo [illegible] [illegible] [illegible] [illegible] credere quibus [illegible] sacerdotes [illegible] [illegible] firmiter tenendum q[uod] deus qui [illegible] [illegible] pe[nitentia] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] sacerdotes [illegible] de pe[nitentia] d. [illegible] [illegible] [illegible] [illegible] qui [illegible] [illegible] [illegible] [illegible] [illegible] q[uia] non credunt aliquas [illegible] [illegible] qui [illegible] [illegible] [illegible] illud [illegible] Sed nunquid manente mortali remittatur [illegible] et [illegible] [illegible] q[uod] [illegible] [illegible] manente mortali non [illegible] [illegible] [illegible] mortale [illegible] manente [illegible] [illegible] mortali [illegible] [illegible] caritas [illegible] [illegible] [illegible] [illegible] fervor caritatis [illegible] [illegible] [illegible] non [illegible] [illegible] Sed nunquid [illegible] quis penitere de peccato manente uno de quo non vult confiteri [illegible] penitere [illegible] q[uod] quidam [illegible] [illegible] [illegible] aliquem [illegible] [illegible] confiteri [illegible] [illegible] [illegible] non vult [illegible] [illegible] penitere. Si [illegible] non confitetur non [illegible] [illegible] [illegible] confessio [illegible] [illegible] non [illegible] sacramentum [illegible] [illegible] [illegible] de [illegible] penitere [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] q[uod] [illegible] mortali [illegible] caritas [illegible] [illegible] Sed [illegible] [illegible] mortuus non [illegible] [illegible] [illegible] [illegible] illud de pe[nitentia] d. [illegible] et [illegible] [illegible] [illegible] nulla [illegible] [illegible] [illegible] quo ad [illegible] et [illegible] [illegible] mortali. Sed [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] opera [illegible] [illegible] [illegible] opera q[uia] [illegible] [illegible] [illegible] [illegible] q[uod] [illegible] novum mortale [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] opera q[uia] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] novum mortale [illegible] [illegible] non foret [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] deus [illegible] [illegible] [illegible] [illegible] deus [illegible] [illegible] abel [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

Ita aliud quod communiter [illegible] est ... et licet plures glo. ... non confiteri ... propter hoc [illegible] ... nulle agens [illegible] confessio ... [illegible]

[illegible]

et alienum [illegible] ... confiteri ... dicit quod si moriatur sine confessione ... [illegible]

[illegible]

dic q dz predicari quat c dom q s dio ysite
d' no dz reuelare s facit i curie gane
pena ad no . Iz que ecy penitens ejm
velle q ipm pcede qt uia inquisitionis .
adiqm et dicit in foro o pmie dic q ipo no
dz tali admitti . mo dz pcessari q
velt pcede q ipm Oz qtc se pbabitur
q . yte reuelabunt gfessioz dic q qt sua
gfessioz uel si gfessus e . i ppena plurim
ut sit i tenebris . i alio uelibus . ..
. uel s muliebz . i quo gfessus
. dyspensacioz q . Ites mois ...
... reuelato gfessione ...
... audiuerit ...
... ut possit elige gfessore
... eligit no ...
dic q no ...
et de ...
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... Ites ...
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... sacerdoti ...
... reuelare ...

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... debet eos ...
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2° s[ecundum] d[omi]n[um] [illegible] nostro [illegible] q[uod] archiep[iscop]o [illegible] puss[it] [illegible] no[n]
q[uod] [illegible] maiori de of[ficio] [illegible] pastor [illegible]
dat [illegible] diligenciam [illegible]
[illegible] primam [illegible]
et [illegible] pastoralibus [illegible]
ac [illegible] pontificalibus celebrare [illegible]
[illegible] archiep[iscop]o [illegible] rubrica de penis

[illegible] delictis [illegible] penam [illegible]
[illegible] de [illegible]
[illegible] non [illegible]
[illegible] pena de [illegible] puniri
[illegible]
[illegible] sit [illegible] accusatore qui colludat [illegible]
[illegible] de eodem delicto [illegible] pena [illegible]
[illegible] de [illegible]
[illegible] pluries [illegible]
rogatus [illegible] de [illegible] expresse [illegible]
[illegible] agere [illegible]
[illegible] de [illegible]
de [illegible] non [illegible]
[illegible] non [illegible]
[illegible]
de [illegible] de [illegible] legem [illegible]
[illegible] de [illegible] auditum [illegible] et [illegible]
non posse [illegible] remitti [illegible] de [illegible]
[illegible] et alii [illegible]
[illegible] non [illegible] dum[illegible]
[illegible] pecuniaria a pena [illegible]
[illegible] 2° [illegible] eos corrigi
[illegible] arguere et
[illegible]
[illegible] indebita [illegible] de [illegible]
[illegible] celebrare
[illegible] non [illegible]
pecunia [illegible] glo[ssa] [illegible]
[illegible] et [illegible]
[illegible] glo[ssa] [illegible] iudex [illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible] dicitur [illegible]
[illegible] a lege [illegible]
[illegible] nulla [illegible]
[illegible] alia pena [illegible]
[illegible] ultimo [illegible] non
[illegible]
[illegible] non [illegible]
[illegible] in [illegible]

et [illegible] minuere [illegible]
[illegible] pene [illegible] minuitur
[illegible] propter [illegible] delinquentis ut [illegible]
propter [illegible] propter senectutem [illegible]
[illegible] ff. de [illegible] l. [illegible] Item
propter nobilitatem ff. de penis l. aut facta
[illegible] de [illegible] cum quedam [illegible]
[illegible] Item propter [illegible]
[illegible] l. [illegible] lege
ff. ad l. [illegible] Item propter [illegible]
[illegible] Item propter [illegible]
[illegible] ut [illegible] propter dolorem [illegible]
delinquentis ff. de penis l. [illegible] Item
propter [illegible] publice ut [illegible]
ff. de re mili[tari] l. non [illegible]
minuitur. Sed ad augmentationem [illegible]
[illegible] delicti atrocitas [illegible]
frequentia delicti [illegible] augetur pena
ff. de penis l. quedam [illegible]
propter frequentiam [illegible]
[illegible] penas [illegible] et eas [illegible]
[illegible] ff. de penis l. [illegible]
[illegible] ut [illegible] pena [illegible]
[illegible] pena [illegible]
[illegible] glo[ssa] [illegible] ff. de [illegible]
qui non [illegible] et l. [illegible] et ibi
[illegible] et non [illegible] glo[ssa] [illegible] aut [illegible]
[illegible] non famoso [illegible] non [illegible]
[illegible] C. de [illegible] non [illegible]
[illegible] famoso [illegible] pena
[illegible] ut l. [illegible] ff. de [illegible]
qui non [illegible] aut alia et [illegible]
[illegible] pecuniaria [illegible] ff. de
[illegible] qui non [illegible] pena [illegible]
[illegible] corporali pecuniariam. Si aut corporalis
[illegible] corporali aut corporalis [illegible]
[illegible] aut [illegible] maiorem et [illegible] propter
[illegible] delicti [illegible] ff. de penis
l. [illegible]. Si aut [illegible] ut [illegible]
[illegible] delicti non [illegible] ut [illegible]
[illegible] ut [illegible]
[illegible] Si aut [illegible] maior
[illegible] minori et cum [illegible] non [illegible]
[illegible] apparere
[illegible] actio [illegible]
[illegible] non [illegible] sufficit [illegible]
[illegible] ut [illegible]
[illegible] cognitione

impon' uxorem q no appar' q voluerit
dispone durat i facta est s' appar' q voluerit
dispo'e ut q uterque vero dispositio tunc no
durat. Sz q e est q i punendo maiore
pena coherciendo frequentiam remedium i fa-
miam. Eo q delinquens e obligat' ad
genus s' fama. Judex est adgens s' pene
i potius q maiore et generis adgens
admittere compensatio ff s' pro socio pre l. i.
Sz dic tn q pene alie sunt corporales
alie pecuniarie pecuniarias licz iudex contingit
imbecille pena corporalium no apprehend fieri
pensatio de fama. Ito compensatio l' fieri cuios
cuius quo e debitor et creditor ff de
compensatione l. i. et i casu isto iudex e obli
gat' condempto ad maiore pena i pour vo
depita' aut e obligat' rei publice seu legi
punienti q vo so' q' graviori medio. s. i ma
iori pena relevatur i alio i. i fama ff de
re iur' l. eu qui [illegible] e vo q iudex [illegible]
cum i alte eu plus recipit de pena q' debet
fama. Sz q s' punitur acco pene sunt ar
bitrarie ff de penis l. hoc g' iniur' iudex [illegible]
Ideo dic q sunt arbitrarie du iudex no [illegible]
trahitur reus et iudex dz discrete [illegible]
circumstantias i puniendo ut etate nobilitate
et [illegible] q i [illegible] et [illegible] moralium pene
ut dicitur e o. Et dz esse ponderati [illegible]
causis et qualitatis que [illegible] ex quo sunt
pene arbitrarie. Sz q dicis si a lege plures
plures pene reperiuntur i parte una graviores
et [illegible] q erat et q no [illegible] l. [illegible]
ff e ti. Sz dic aut utraque pena e certa
tunc si utraque pena i poir' eadem lege tunc gravior
no respicit [illegible] ut dicit l. [illegible]
[illegible] i par' duplex legibus tunc aut una pena
i [illegible] a lege et alia alligatione et utr'q
qz locum est quo adversetur. [illegible] ab
[illegible] utr'q qz locum quo adversetur no quo
adversetur. Sz dic si legitimi alia
pena [illegible] i poir' a lege si iudex arbitrar'
aliam no [illegible] qz altera sufficit q
[illegible] succeduntur i locum legalis. Sz alia
gravior et [illegible] i poir' a lege tunc si
ub eadem lege et diversis capitulis tunc
gravior no [illegible] est [illegible] ut l. [illegible]
Sz aut a duplex legibus et no infligit gravior
alligatione si aut tunc [illegible] i i [illegible]

et executione ut e [illegible] [illegible] xii q ii et e
dicatur si d' impon' [illegible] tunc licz [illegible]
i origine no tn i executione. Sz tu [illegible]
de [illegible] hoc ubi alia eadem lege no [illegible]
ubi a duplex legibus sit. Item ubi [illegible]
alia eadem lege [illegible] a l. certa [illegible]
[illegible] accusatio. Sz ubi a duplex sunt
tunc duplex accusatio. Sz [illegible] pena ar
bitraria sit duplicem dic q sit q [illegible]
arbitrarii [illegible] qz legi quare illa [illegible] q q
[illegible] arbitrarii parte duplex [illegible]
[illegible] i q [illegible] [illegible] et l. [illegible] ff de pena

Que e collapsum eius [illegible] [illegible]
[illegible] [illegible] compositus compositum
i [illegible] [illegible] [illegible] [illegible] et
[illegible] glo in [illegible] de [illegible] de
[illegible] [illegible] i [illegible] et de [illegible]
si [illegible] aut iudex. Sz [illegible] tractatur
quis [illegible] [illegible] ab [illegible] et [illegible]
[illegible] [illegible] [illegible] quas
[illegible] [illegible] [illegible] de [illegible] [illegible]

Que e qd i dubio. Sacerdotes [illegible]
clericis de [illegible] [illegible] [illegible]
[illegible] [illegible] bellum possit [illegible] i
[illegible] bella no sit [illegible] ad [illegible]
si ad defendendum [illegible] irregularitatem i
[illegible] [illegible] q [illegible] [illegible]
[illegible] [illegible] irregularitatem incur
runt [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ad [illegible] [illegible]
[illegible] bellatores fortiter pugnare. [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] i defensione sunt gubernare
naves et alios ad pugnandum i defendendos ut [illegible]
[illegible] i [illegible] ut [illegible] [illegible]

[illegible] [illegible] i magno [illegible] [illegible]
[illegible] [illegible] et i [illegible]
[illegible] [illegible] plus e [illegible]
[illegible] [illegible] [illegible] [illegible] qui
[illegible] [illegible] [illegible] [illegible]
q no [illegible] [illegible] [illegible] [illegible]
de clericis e deponendis [illegible] no [illegible]
[illegible] glo ad [illegible] no [illegible] de [illegible]

i [illegible] [illegible] [illegible] [illegible] [illegible]
pena [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] pastor

pro[illegible]

ff. de acti[one] emp[ti] [et] vend[iti] · l. ex de[?] l.
Supplex C. de his q[ui] no[n] i[m]pl[ent] [illegible]
p[ro]p[ri]o exp[illegible] vel ex tot[illegible] q[uia] [illegible]
[illegible] i[n] testa[mento] i[n] testi[bus] vel q[uia] mo[illegible]
p[ro]c[ur]ator [illegible] n[on] ē i[n] [illegible] q[uia] no[n] ē [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible] [illegible]
[illegible] · q[uod] dic[itur] q[uod] pen[a] [illegible] [illegible] i[n] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] ut [illegible]
[illegible] i[n] famia[m] [illegible] ē crime[n] famosu[m] [illegible] [illegible]
Item d[icitur] certa die certa[m] solue[re] quod
[illegible] [illegible] [illegible] solue[re] [illegible]
[illegible] integra[m] no[n] t[enetur] [illegible] [illegible] [illegible]
[illegible] [illegible] q[uia] [illegible] [illegible] forte considerat
[illegible] [illegible] bladi [illegible] [illegible] solido[rum] [illegible]
[illegible] · Et d[icitu]r [illegible] istos [illegible]
vel [illegible] [illegible] [illegible] plus solue[re] de solu[illegible]
q[uia] t[un]c no[n] potuerunt plus solue[re] de solu[illegible]
[illegible] de [illegible] [illegible] [illegible] [illegible] [illegible]
i[n] pena d[icitur] [illegible] de [illegible] [illegible] [illegible] aliud
de [illegible] aliud de equitate [illegible] [illegible] no[n]
[illegible] vel [illegible] [illegible] q[uod] no[n] [illegible] [illegible] [illegible]
[illegible] dic[itur] [illegible] soluere [illegible] [illegible]
[illegible] [illegible] ad pena[m] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] videt[ur] [illegible] et [illegible] [illegible]
[illegible] vel d[icitu]r q[uod] [illegible] [illegible] fuerit no[n]
[illegible] [illegible] [illegible] [illegible] no[n] [illegible]
[illegible] [illegible] d[icitu]r q[uod] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
de [illegible] [illegible] [illegible] d[icitu]r q[uod] [illegible] [illegible]
[illegible] no[n] [illegible] [illegible] d[icitu]r q[uod] [illegible] [illegible]
[illegible] q[uod] [illegible] no[n] [illegible] [illegible]
[illegible] d[icitu]r q[uod] [illegible] dari vel fieri
[illegible] [illegible] [illegible] [illegible]
et t[un]c [illegible] fiendu[m] [illegible] tantu[m] fieri de[bet]
vel dari [illegible] l. cu[m] [illegible] et l. qui duob[us]
ff. [illegible] [illegible] et de [illegible] [illegible]
[illegible] fiendu[m] [illegible] [illegible] [illegible] i[n]
[illegible] [illegible] [illegible] [illegible] t[un]c [illegible] sol
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] aut
[illegible] [illegible] [illegible] t[un]c [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] t[un]c de[bet]
tantu[m] fieri ut l. [illegible] [illegible] [illegible] ff.
de ver[borum] obl[igationibus] [illegible] [illegible]

Intro tractatum a quibus etiam quoniam possunt
abstinere debent quod fratres dei non
oportet blasphemare ii q. vij sicut sacerdos
igitur publice hic pro de vita et hon.
et debet etiam recte iudicare ut in superiori
libro pius edocti sed quod in mortali constituti
iudicare non debent in q. vij iudices docti
aut honestam vitam ducere sed c. ut laici
Cum celebrantur divina discretus
dicit ecce clericus apostolo quod etiam
hoc prius laicis concessum est non scitur a.
circa alibi [illegible] quod [illegible] c. adversus
de testi [illegible] stare ad stare ad sedem
. c. di [illegible] quod [illegible] [illegible]
[illegible] sacra [illegible] in [illegible] dispositionis
ut etiam sunt magis [illegible] cum divina
[illegible] dicit ecce [illegible] q. ij duo
[illegible] c. de [illegible] [illegible]
[illegible] c. psallere [illegible] sunt [illegible]
celebrantur [illegible] ubi etiam psallentes
[illegible] c. manus [illegible] [illegible]
non dicit ecce [illegible] [illegible] quod apostolus [illegible]
admittitur quod [illegible] non admittetur
dicitur misterium quod non sacrificatur dicitur
misterium [illegible] [illegible] de clericis
[illegible] dicitur quod [illegible] laicus de [illegible]
[illegible] [illegible] laici possunt
ante altare ad offerendum [illegible]
sunt quod non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et c. [illegible]
[illegible] sacerdotes quod ad altare [illegible]
offerentes [illegible] c. duo [illegible] q. i. [illegible]
sunt [illegible] quod [illegible] [illegible] derogatum [illegible]
aut [illegible] posset derogari canoni
[illegible] et fulminanti [illegible] non
c. defend. de treu et pa. c. i. [illegible] non
Quid [illegible] laici possunt ab altari obla
tiones recipere [illegible] [illegible] [illegible] [illegible] implicat
[illegible] possunt vendi [illegible] dicitur quod [illegible] c.
[illegible] [illegible] [illegible] [illegible] de [illegible]
Quid [illegible] oblatum c. [illegible] vendi [illegible] q. i.
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
laici non debent recipere ab altari [illegible] clericos
[illegible] [illegible] [illegible] de laici [illegible]
ad [illegible] dicitur quod sic Quid [illegible] [illegible]

[illegible] dicit an quod non [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] c. [illegible]
c. hospitalis [illegible] c. Quid si non [illegible] [illegible] [illegible] legis
et canonis [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
eodem modo dispositionis [illegible] dicit [illegible] solum materie [illegible] non
c. [illegible] [illegible]. Quid an sit [illegible] dispositio legis et
canonis nobis [illegible] de [illegible] [illegible] [illegible] de [illegible]
Inglo [illegible] ibi [illegible] arguitur aliquis [illegible] [illegible]
quod de multis laicorum recipiunt oblationes [illegible] al
tare [illegible] [illegible] et [illegible] solum ut dicit [illegible] dicit
[illegible] [illegible] [illegible] [illegible] c. [illegible] armatus
Con. quod immo sunt [illegible] ut [illegible] [illegible]
quod [illegible] [illegible] [illegible] de [illegible] [illegible]
in [illegible] [illegible] [illegible] monachis et illa [illegible] c. [illegible]
[illegible] de regulis [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] religiosis [illegible] arma [illegible] defen
[illegible] [illegible] [illegible] cum hoc [illegible] licitum sit [illegible]
[illegible] hoc [illegible] bellum [illegible] [illegible] de [illegible]
[illegible] [illegible] [illegible] ubi [illegible] [illegible] bellorum. [illegible]
bellum [illegible] quod [illegible] infideles [illegible]
[illegible] [illegible] c. [illegible] [illegible] [illegible] q. i. [illegible] c.
[illegible] c. [illegible] quod sit [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ut [illegible] [illegible] de [illegible]
c. [illegible] quod [illegible] iudices [illegible] [illegible]
c. [illegible] [illegible] [illegible] licitum [illegible]
de [illegible] [illegible] [illegible] [illegible] de [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] de [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] de [illegible]
[illegible] [illegible] [illegible] [illegible] quod sit [illegible] [illegible]
quod sit [illegible] [illegible] [illegible] defendit [illegible]
[illegible] et [illegible] quod sit [illegible] [illegible] [illegible]
hoc [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] bellum [illegible] [illegible] [illegible]
c. [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] arma
militaria [illegible] [illegible] et [illegible] [illegible] [illegible]
[illegible] q. [illegible] [illegible] de [illegible] [illegible] [illegible]
Quid [illegible] quod [illegible] [illegible] [illegible] [illegible] [illegible] non
solum [illegible] [illegible] ut armorum [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] principes [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] lege [illegible] [illegible]. [illegible] de
c. [illegible] de [illegible] [illegible] hoc quod [illegible] [illegible] [illegible]
[illegible] non et [illegible] non [illegible] [illegible] [illegible] c. [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] de [illegible] [illegible] hoc [illegible]
[illegible] [illegible] [illegible] [illegible] ut [illegible] [illegible] [illegible] [illegible]

[illegible]

Et quod dicit dominus Robertus [illegible] solus dicitur [illegible]

[illegible] celebrare dicitur [illegible]

[illegible] in marthe [illegible]

[illegible]

[illegible] Ingl. [illegible]

[illegible]

Lege c. [illegible] clericis et clericus [illegible]

[illegible]

Clerici non [illegible]

[illegible]

[illegible] Ingl. [illegible]

[illegible]

[illegible] de consuetudine [illegible] collegiata [illegible]

[illegible] Ingl. [illegible]

[illegible]

[illegible]

[illegible]

[illegible] respondet iudici [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] salarium [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

[illegible]

ficiunt non in eo quod dicit timorem de statu meo. In
ductis textus[2] etc. quod si regula sit ut patet continuum
receptum ut religiosus apparet quod contra apposi
tum quod tamen dimittit apparentem continuum ut coo
perit per quem dicit et ideo etc. ... secundo sunt
dicta quod non potest continuum ... ut modo etc. ... Item
dicit textus maior vestes ... ... circa decorem
Precedit quaestio ... quoniam
... et prius larvarum sunt quod sunt
... dyaconi ut in festo sancti stephani
... quam ... non dicit et quod ... et
... opinio quod ... iniuriis quibus
... non quod ... sunt irregulares de quo dicunt
... delatione ... qui ... sunt inimicos dicit ...
in ... ff de ... et ... ad ...
... publicatos ... sunt irregulares non
... dominatur ... et ... sunt
... quod de ... verba ... dicit ...
... quod ... de ... ...
ut aliorum adversandum dicit quod si fiat ...
introducendi ut ... non si fiat ...
delectandi solum et ... admodum ... sunt
... si ... de verbis ... laudes
... non ... quod plurimi ... ponunt
plurimos ... et ... non dicit
sunt non ... de ... in ...
... quod ... superiores et ... et ...
... quod non est ... reddant
testificando ... fiat ...
... adulator dicit quod ... magis
quanto magis recedit a virtute ...
... recedit a virtute ... quod principaliter
tendit ad delectandum magis quam ad contristandum
magis quam adulator qui est delectat licet
non excessive ... non multum ...
... superiore quod primo
... quod non ... quod ... talis ... mo-
... dicit quod non in modo ... superiori debet
recedere ... de ... non ... hoc
intelligere ... magis ... quod de ... non ...
... et hoc ... quod ... quia
ut ...
... etc. ... usque
ibi ... in parte ibi ...
... per ... primum

prelatos negligentes et corruptos ibi quam autem
et sunt graves ... mores
de quibus ... de nobilitate de ...
... et dicit mores ... interiores
... diffidentes ... de quo
prelati diffidunt ... glossa primo ...
... ... dilatat quod si ...
... negant ... cum ipsis ... de
vero ... ad ... ...
... dignum ... ...
... ut ... de ...
... ... ut de
... ... non quod
facultas vero ... glossa ... quod ...
... ... cum ...
... rigore ... mediatores
... ...
... fragilitas ... ...
... epistola
... epistola ...
dicitur ... et ...
in ... arguunt aliqui ...
... textum ...
quod ... ...
... ... dicit aliquid
quod ... non ... quod ... ignorans
... dicit aliquam de
... non fiat ... forte ...
credens ... fortiorem ...
... et ...
... ...
non ... ...
... et ...
... ...
Indumenta vero ... de ...
... de ...
... arguunt aliqui ...
... qui ... de ... ...
... non ...
... de ... ...
quod ... non ... ut de
... non ... hoc dicit
quod ... ... gratia
... ...
... ...

Caro cui [illegible] de [illegible] [illegible] tinc
[illegible] [illegible] et [illegible]
corone [illegible]

si no[n] indiget [illegible] s[ed] hoc [illegible]
[illegible] quibus est filius regis [illegible]
[illegible] et etiam celebrare [illegible]
[illegible] et alia officia [illegible]
[illegible] in [illegible] et [illegible]
privilegio [illegible]
[illegible] Inglesus [illegible] an possit re
peti [illegible] dicitur [illegible]
[illegible] non repetit [illegible]
[illegible] non repetit [illegible]
[illegible] Alii dicunt [illegible]
[illegible] non repetitur
[illegible]
[illegible] adverte [illegible] lege civili [illegible]
[illegible]
[illegible]
[illegible]
[illegible] corruptela [illegible]
[illegible] repetit [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

Die [illegible] ordinario [illegible]
non submittitur [illegible]

[illegible] non [illegible]
Inglesus [illegible]
[illegible]
[illegible]
[illegible] de lege [illegible]
de quo [illegible] Inglesus
[illegible] ad collectas
[illegible]
[illegible]
[illegible] cum honore [illegible]
[illegible] de decimis
[illegible]
[illegible]
[illegible] privilegia [illegible] de novo [illegible]

[illegible] de [illegible]

[illegible] de [illegible] et [illegible]
[illegible]
[illegible]

[illegible] in [illegible] balneum [illegible] aliena uxore [illegible]
[illegible]
[illegible] balneatorum [illegible]

[illegible] et [illegible]
de [illegible] et [illegible]
[illegible]

[illegible]
[illegible]
[illegible]
[illegible] Inglesus [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] balneis [illegible]
[illegible] aliena [illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible] Inglesus [illegible]
[illegible]
[illegible] adulterio et sacrilegio ut [illegible]

[illegible] de [illegible] et lege [illegible]
[illegible]
[illegible] de [illegible]

alibi vbi dicit glo. quod si habes filios non debes matrimonium ... inspicere ne filii pereant. Fame xxxiii di. c. sin ... continentia. Rursus inquit puniendus est etiam qui ... habendo vel ... fornicando dum aliqui qui form... ... c. ... xxxii di. ... qui ... contrahendo ... duobus ... contrahendo ... ... copulam ... qui ... publice ... dicunt quod adulterio puniri ... ... puniri et fornicatione ut ... q. ... ... in matrimonio ... ... non debent ... detrudi ... liberos ... ... aliter

Inferius magistri ... publice ... grande de pen ... si ... ... quales re ... ... quas ... ... non subdit ... ... planius ... alicui ... qui non ... ... et ... non debent ... ... quod sic ... non ... quos ... ... recipi ... ... Aug. ... ... quod sic ... ... in ... ... non absque ... ... de novo ... ... de ... ... non dicit fornicatio ... ... concubina ... concubinas meretrix ... mere ... ... non credit mere ... ... dicunt ... ... aliqui quod ... ... et ... ... vel si ... ...

Inter ... ... non solum ... ... fornicatione ... adulterium ... xxxiii di. q. i ...

... quod ... non ... ... in dem vendicat ... ... et ... ad alias ... in ... quod ... ... celebrans ... ... irregularis ... ... non ... ... non ... irregularis ... ... non ... et ... cum ... ... absolutus ... ... et ... ... non ... absolutus ... ... aliqui ... ... absolutus ... ... celebrando ... irregularis ... ... non ... ... celebrans irregularis ... ... quod ... ... allegat ... glo. ... ... loquitur de sacerdote qui suspenditur ... ... de alio clerico loquitur et ... ... non solum ab officio sacerdotali ... ab aliis inferioribus officiis ... ... In dicta pena ... ... intelligi ... ... celebrare non ... ... non ...

... in quod ... ... publice fornicarie ... ... qui suspenditur ... ... ab officio ... in

nisi restituatur — Item non quod nisi [illegible] primo non pareret ut beneficia sua alias conferri et [illegible] procedere [illegible] dicit conferri sufficientis et [illegible] [illegible] secundum [illegible] dicit quod quid in hoc / dicitur [illegible] non [illegible] [illegible] quia beneficia est sufficientis [illegible] [illegible] non posse conferri qui ad sufficiendum non [illegible] [illegible] sufficientis non [illegible] [illegible] [illegible] [illegible] non [illegible] beneficia conferri [illegible] [illegible] propter hoc [illegible] [illegible] et hoc [illegible] hoc [illegible] [illegible] in [illegible] procedere in suspenso propter crimine [illegible] [illegible] et [illegible] [illegible] et [illegible] [illegible] propter hoc [illegible] [illegible] de [illegible] et hoc [illegible] [illegible] [illegible] est [illegible] [illegible] occulto et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] suspensus quo [illegible] et quia [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] eo [illegible]

[illegible] interrogatur [illegible] de [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] ponitur non [illegible] [illegible] evidentia quod non [illegible] [illegible] [illegible] [illegible] testibus [illegible] [illegible] [illegible] [illegible] [illegible] de purgatione [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] — Item [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] ordine [illegible] [illegible] [illegible] vel [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] vel [illegible] [illegible] vel [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ponitur de actu [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] nisi [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] de [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] crimine [illegible] [illegible] — Item [illegible] [illegible] qualitas [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non suspenso et [illegible] ordinato [illegible] ut misse et [illegible] hore diurne et nocturne [illegible] [illegible] quod sufficit [illegible] [illegible] [illegible] [illegible] [illegible] — Item [illegible] [illegible] et [illegible] [illegible] [illegible] purgatoria [illegible] Item [illegible] [illegible] [illegible] confessionem Item quod [illegible] et [illegible] Item [illegible] [illegible] occulti [illegible] [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] glo[ssa] [illegible] [illegible] [illegible] [illegible] Item [illegible] quod sufficit [illegible] [illegible] [illegible] [illegible] et [illegible] non [illegible] [illegible] [illegible] [illegible] [illegible] sufficit [illegible] [illegible] — Item [illegible] [illegible] [illegible] crimine [illegible] [illegible] non maculat [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] maculant [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] purgatoria et debet [illegible] [illegible] [illegible] maculas [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] non [illegible] [illegible] [illegible] de et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] maculabilia [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] vel [illegible] de crimine [illegible] [illegible] — Item [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] vel [illegible] [illegible] vel de [illegible] [illegible] — Item [illegible] de [illegible] [illegible] [illegible] de [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] de merito [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] merito [illegible] [illegible] [illegible] [illegible] merito [illegible] et merito [illegible] [illegible]

Sacerdos aut[em] maculatus et criminosus [illegible]
merito et comento [illegible] no[n] sufficit [illegible]
no[n] [illegible] q[ui]a [illegible] — Item dicit [illegible] q[uod] solus
notorius fornicator [illegible] [illegible] vitari [illegible]
[illegible] q[uod] occultus de [illegible] [illegible] [illegible] q[ui] loquitur de
[illegible] in ordine qui [illegible] [illegible] [illegible] e[st] [illegible]
[illegible] occultus no[n] [illegible] i[n] fornicario occulto [illegible]
[illegible] i[n] ordine [illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible] i[n]surgit [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] notorij
[illegible] suffi[cien]ter [illegible] [illegible] [illegible] no[n] [illegible]
[illegible] [illegible] celebrantes no[n] incurrit ir
regularitate[m] [illegible] [illegible] si celebrat [illegible] [illegible] officia divina
[illegible] et [illegible] de crimina [illegible] i[n] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
adesse et alios i[n]currit irregularitate[m] celebrando
[illegible] [illegible] [illegible] in ordine qui [illegible] [illegible] ad alios
e[st] [illegible] [illegible] dicit quidam q[uod] fornicarius
notorius et [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible] q[uod] e[st] [illegible] quare occulti no[n] vitantur [illegible]
[illegible] de [illegible] [illegible] no[n] [illegible] [illegible] [illegible] [illegible] aut[em]
[illegible] vitari [illegible] rubore [illegible] abstinendum —
[illegible] [illegible] videndu[m] [illegible] [illegible] [illegible] [illegible] de manifesto
[illegible] [illegible] notoriu[m] [illegible] [illegible] [illegible] [illegible] [illegible] de crimine
notorio tangit [illegible] [illegible] [illegible] aliqui moderno[rum]
dicunt [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] Judiciu[m] fama rumor occultu[m] [illegible]
[illegible] occultu[m] manifestu[m] et notoriu[m] [illegible]
[illegible] no[n] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
occultu[m] no[n] e[st] modus [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] occultu[m] [illegible] no[n] e[st] manifestu[m] no[n] [illegible] e[st] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] media
[illegible] [illegible] [illegible] [illegible] [illegible] ut [illegible] [illegible] [illegible] [illegible]
Judiciu[m] et e[st] actus [illegible] [illegible] [illegible]
qui [illegible] [illegible] media [illegible] [illegible] [illegible]
aut [illegible] [illegible] [illegible] no[n] [illegible] [illegible] scire et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible]
[illegible] et [illegible] [illegible] et [illegible] media [illegible] [illegible] [illegible]
[illegible] fama [illegible] [illegible] [illegible] rumore [illegible] [illegible] media
[illegible] [illegible] [illegible] ut [illegible] [illegible] [illegible] de
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ut principia [illegible] [illegible] nota
ut [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible] — [illegible]

e[st] rei dubie [illegible] [illegible] de [illegible] [illegible] cu[m] [illegible]
de ver[itate] [illegible] [illegible] — [illegible] e[st] [illegible] mediu[m]
intellectuale veritatis [illegible] i[n]surgens
[illegible] de [illegible] [illegible] [illegible] [illegible] no[n] infert
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible] e[st] indiciu[m] dicit [illegible]
intellectuale veritatis [illegible] i[n]
surgens [illegible] circu[m]stantia i[n]surgens [illegible]
[illegible] [illegible] [illegible] indicia [illegible] [illegible] e[st] fama [illegible]
[illegible] ut i[n] glo[sa] [illegible] [illegible] [illegible] e[st] de fama
[illegible] [illegible] fama de aliq[uo] [illegible] e[st] mediu[m]
veritatis [illegible] [illegible] [illegible] [illegible] [illegible] e[st] fama
et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] maiore[m] [illegible] [illegible] [illegible]
auctore [illegible] et requirit duo [illegible] [illegible]
et [illegible] [illegible] et [illegible] [illegible] fama [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] no[n] de actu [illegible] [illegible] [illegible] [illegible] aliq[uo]
[illegible] maior [illegible] [illegible] [illegible] [illegible] e[st] [illegible] e[st]
[illegible] [illegible] nichil [illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
fama [illegible] interrogat[ur] [illegible] [illegible] et dicit
[illegible] [illegible] [illegible] [illegible] [illegible] no[n] [illegible]
[illegible] [illegible] [illegible] [illegible] e[st] fama [illegible] [illegible] de
[illegible] de actu [illegible] [illegible] [illegible] rumor e[st]
[illegible] [illegible] [illegible] ab incerto
auctore insurgens — [illegible] e[st] occultu[m] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] e[st] [illegible] occultu[m] [illegible] [illegible] illud [illegible] [illegible] [illegible] de
[illegible] [illegible] manifestu[m] e[st] [illegible] de [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] e[st]
notoriu[m] [illegible] et [illegible] [illegible] e[st] actu [illegible] [illegible]
cu[m] [illegible] [illegible] [illegible] [illegible] [illegible] domo et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] vel [illegible] [illegible]
[illegible] [illegible] vel [illegible] [illegible] e[st] [illegible] [illegible]
[illegible] [illegible] cu[m] quis [illegible] [illegible] [illegible] [illegible] aliq[uo]
illud e[st] notoriu[m] [illegible] e[st] actus [illegible] [illegible] [illegible]
et [illegible] no[n] e[st] [illegible] e[st] actus [illegible]
[illegible] no[n] [illegible] [illegible] [illegible] [illegible] interpositione ut
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] e[st]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] no[n] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] no[n] [illegible] [illegible] [illegible] notarie [illegible]
[illegible] [illegible] [illegible] [illegible] no[n] requirit[ur]
ordo [illegible] [illegible] [illegible] [illegible] no[n] [illegible] [illegible] iudicii
[illegible] [illegible] i[n] iudicio [illegible] [illegible] [illegible] et [illegible]

[illegible]

fuit [illegible] et [illegible] appellatum fuerit [illegible] superiore [illegible] notoria [illegible] aliqui [illegible] notorium [illegible] permanens [illegible] notorium [illegible] testes [illegible] [illegible] duobus notoriis [illegible] notoria [illegible] [illegible]

[illegible]

Que [illegible] notorium [illegible]

[illegible]

Rubrica de [illegible] [illegible]

Que [illegible]

[illegible]

nullū

q non fuit [illegible] q non fuit [illegible] [illegible] si fuisset aliq[illegible] [illegible] ut q generat cū habilē et cū carnalib[us] [illegible] pulam [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

no[n] p[ro]mouē[n]t nisi castitatē p[ro]miserit

ad [illegible] uel no[n] [illegible] q [illegible]

[illegible] bigamus [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible]

Indulgencia [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] bigamus [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

scandalū no[n] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

Clericus [illegible] no[n] [illegible] no[n] [illegible] [illegible] [illegible]

[illegible] [illegible]

De clericis non residentibus. Si [illegible] quo
etiam [illegible] et [illegible] et [illegible]
dominus et [illegible] beneficii
[illegible] beneficiis [illegible] residere [illegible]

episcopus [illegible] in [illegible] [illegible]
est [illegible] [illegible]

[illegible] Clericus [illegible]
[illegible] residere [illegible] si non fecit moneatur
ut [illegible] redeat et [illegible] privari [illegible]
[illegible] non redeat et [illegible]
[illegible]
[illegible] beneficium [illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible]

Item [illegible]
[illegible]

[illegible]

[illegible] residere [illegible]

[illegible]

residere non debet [illegible]

[illegible] residere et curam [illegible]

[illegible] beneficio [illegible]
[illegible]

[illegible]

[illegible]

In [illegible] de ep. [illegible] ut dicit [illegible]
[illegible] quando [illegible] non [illegible]
ecclesie ut [illegible] qui [illegible] non
[illegible] beneficium ut [illegible] et [illegible]
[illegible] committere [illegible]
[illegible] et [illegible] [illegible]
[illegible]
[illegible] non obediret [illegible]
[illegible] committere [illegible]
[illegible] ut [illegible] alius
[illegible] ut [illegible] de [illegible]
[illegible] dicit ecclesie admittere
[illegible] non [illegible] ad epo [illegible]
[illegible]

Item epo [illegible] ut possit [illegible]
[illegible] cum [illegible]
[illegible] fructibus percipiendis [illegible]
[illegible] et [illegible]
[illegible] Jo. an.
[illegible] de fructibus [illegible]
[illegible] adhuc [illegible] nisi
[illegible] patronis possit
[illegible] fructibus [illegible]

Item [illegible] revocare [illegible]
[illegible] dici [illegible] cum [illegible]
[illegible] ut [illegible] non [illegible]
alium beneficium [illegible] de residencia [illegible]
[illegible] epo [illegible] ut [illegible]
[illegible] non [illegible] beneficium
[illegible] de iure [illegible] residencia [illegible]
[illegible] epo [illegible]
[illegible] de iure [illegible] de
[illegible] de iure [illegible]
non requirebatur residencia et [illegible]
[illegible] epo [illegible] non [illegible]

In [illegible] non [illegible]
[illegible] residencia [illegible] non
residebat [illegible] non [illegible] beneficio nisi [illegible] ecclesia
[illegible]

[illegible] de [illegible] ut [illegible]
[illegible] clerici [illegible]
[illegible] de [illegible] de [illegible]
[illegible]
[illegible] ecclesia [illegible] non [illegible]
ut alium [illegible] dicit ecclesie [illegible]
[illegible] dicit [illegible]
[illegible] qui [illegible]
[illegible] ecclesie [illegible] non
[illegible] non [illegible]

[illegible] non [illegible]
de [illegible] de [illegible] et [illegible]
[illegible] non [illegible] ecclesie [illegible]
[illegible] ecclesia
[illegible] ecclesie et [illegible]
[illegible] non mere [illegible]

[illegible] non [illegible] reddatur [illegible]
de [illegible] cognoscere [illegible]
[illegible] de [illegible]
[illegible]
ecclesia de [illegible]
[illegible] non [illegible] appropriari [illegible]
[illegible] implicare
[illegible] est [illegible]
[illegible] ut [illegible] et [illegible]
[illegible]
[illegible] et
[illegible] ecclesie [illegible]
[illegible] pauperes [illegible] et [illegible] ut
[illegible] non [illegible] de quo [illegible]
[illegible] appli
cari [illegible] de [illegible]
[illegible] de [illegible]
[illegible] non [illegible]
[illegible] non
[illegible] ecclesie possidetur
[illegible] non [illegible]

[illegible] epo [illegible]
[illegible] ecclesie

[illegible] pauperes [illegible]
[illegible] primam
vel alterius [illegible] gratia [illegible]
[illegible] non de [illegible]
[illegible] beneficium [illegible] beneficium
ecclesie [illegible] non [illegible]
[illegible]
[illegible] et [illegible] epo [illegible]
[illegible] de [illegible]
[illegible] epo

[illegible]
[illegible] non [illegible] de [illegible]
[illegible]
[illegible]
[illegible] ut [illegible]
[illegible] alium ut de [illegible] et [illegible]
[illegible] et [illegible]
[illegible] ecclesie
[illegible] non [illegible]
[illegible] non [illegible]
[illegible]
[illegible] clerici [illegible]
[illegible] non [illegible]
[illegible]
[illegible]

viii q. in cap. qd. clericus cum [illegible] xx ii di. [illegible]

Ro. c. [illegible] in [illegible] mediocrum [illegible]

Item poe nupserunt [illegible] quos gratias [illegible] pendente ordinatur ad sacros ordines [illegible] parrochiali [illegible] vermelt [illegible] grae [illegible] non [illegible] incompatibile [illegible] residenciam cum beneficio [illegible] requirit residenciam [illegible] non [illegible] beneficiatum [illegible] moriatur [illegible] parochie [illegible] collatio [illegible]

[illegible]

Ro. dat [illegible] quos [illegible] beneficia [illegible] collatio [illegible] non [illegible]

Et dat [illegible] quodcumque [illegible] de [illegible] in [illegible]

[illegible] non [illegible] collationem [illegible] beneficium [illegible] non [illegible] dimittere [illegible] collatio [illegible] beneficiatus [illegible] non [illegible]

[illegible]

Item [illegible] electa [illegible] dimittere [illegible] ordinario [illegible] non [illegible] beneficium [illegible] non [illegible]

Est [illegible] ut non [illegible]
[illegible] marcorum [illegible]
laco [illegible] sue [illegible]
due [illegible]
[illegible]
[illegible] requirit residencia [illegible]
[illegible] dicti [illegible]
[illegible]
[illegible] collegium [illegible] generaliter
[illegible]
[illegible]
[illegible]
[illegible]
successores non [illegible]
[illegible] possessionem [illegible]
[illegible]
[illegible] modum
[illegible]

[illegible]
[illegible] ... et alii dicunt quod aliquis ... probabiliter ... [illegible]
[illegible] ... [illegible]
[illegible] ... [illegible]
[illegible] ... ordinem ... [illegible]
allegat ... [illegible] ... non ... [illegible]
probabiliter ... [illegible] ... [illegible]
... [illegible] ... In hoc ... [illegible]
... non ... [illegible] ... [illegible]
... [illegible] ... non ... [illegible]

'tris in suis manib(us) appreh(ens)is et notavim(us) in quodam instro publ(i)co p(er) me infrascriptu(m) not(ariu)m confecto et
scriptam [illegible] insinuandi et notificandi honorabili viro d(omi)no Walramo de Treueri
p(re)po(sit)o Eccl(esi)e s(an)c(t)i Germani ext(ra) muros Spir(ensis) collacioni beneficij Ecclesiastici subscripti cum
ibidem p(rese)nti eandem app(ell)a(tio)nem p(rese)ntavit et p(rese)ntarunt Qui d(omi)n(u)s Walramus p(re)p(osi)t(u)s dixit q(uod) ipse
no(n) gravasset eu(m) aliquo Ergo no(n) indiget insinuacione et acceptacione [illegible] p(re)dicti [illegible]
[illegible] recipe voluisse ipse Joh(ann)es eandem app(ell)a(tio)nem in publica forma ut p(re)mittit(ur) [illegible]
sup(er) vestimenta seu indumenta p(re)d(ic)ti d(omi)ni Walrami p(re)p(osi)ti posuit que sic posita ante eu(m) ceciderunt
Sup(er) quib(us) me infra scriptu(m) not(ariu)m requisivit ut sibi unum vel plura publ(i)ca conficerem instra.
Acta sunt h(ec) anno mense die hora indiccione pont(ificatu) et loco p(re)d(ic)tis p(rese)ntib(us) viris discretis
Joh(ann)e Dresseler et Henelino de Erke civib(us) Spir(ensibus) ad p(re)missa p(re)sentib(us) vocatis et rogatis
Tenor vero instr(ument)i de app(ell)a(tio)ne p(re)d(ic)ta sequit(ur) in h(ec) verba. In no(m)i(n)e d(omi)ni amen Per hoc
p(rese)ns publ(icu)m instr(umentu)m cunctis pateat evidenter. Quod sub anno a nativitate eiusdem millesimo tre
centesimo Quinquagesimo septimo die quarta mensis Julij hora in meridie post [illegible]
matutinarum in Eccl(esi)a s(an)c(t)i Germani extra muros Spir(ensis) indiccione decima pontificatus sanctissimi
in xpo p(at)ris et d(omi)ni n(ost)ri d(omi)ni Innocentij divina providencia pape vj anno quinto In Eccl(esi)a
s(an)c(t)i Germani p(re)d(ic)ta videlicet in choro eiusdem [illegible] in mei notarij publ(ici) sub
scripti et testium infra scriptorum p(rese)ncia p(er)sonalit(er) constitut(us) vir discretus Joh(ann)es Hugonis de [illegible]
[illegible] Spir(ensis) dyoc(esis) appreh(ens)am sub [illegible] papiream manib(us) suis tenebat [illegible]
interposuit et appellavit apostolos petivit [illegible] apostolos se sibi et adherentes et adh[illegible]
vere volentes [illegible] sunt et alia que [illegible] sunt in h(ec) verba. Coram vobis
[illegible] Henric(o) de Bacherach [illegible] publ(ico) imperiali auctoritate notario tanquam
coram p(er)sona autentica et fide digna [illegible] Ego Joh(ann)es
Hugonis de [illegible] presbiter Spir(ensis) dyoc(esis) [illegible] sanctissimus in xpo p(ate)r et d(omi)n(u)s
d(omi)n(u)s Innocencius divina providencia papa vj Pontificatus sui anno primo michi Joh(ann)i [illegible]
examinatores in [illegible] p(ro) pau
peribus clericis beneficiandis sedes ap(osto)lica scribere consuevit de beneficio Ecclesiastico cum cura
vel sine cura spectante ad collacionem vel p(rese)ntacionem Honorabilis viri d(omi)ni p(re)p(osi)ti Eccl(esi)e s(an)c(t)i German(i)
in ext(ra) muros Spir(ensis) si quod tunc vacabat vel cum primo ad id [illegible]
sup(er) [illegible] examinatorib(us) deputatis qui de vita et conv(er)sacione mea [illegible] inquirentes me
in [illegible] vite laudabil(is) et honeste conversacionis et me [illegible] habile et [illegible]
ad beneficium Ecclesiasticum iuxta formam [illegible] ap(osto)licarum [illegible] beneficium
michi conferendum sue collacioni reservavit et inhibuerit et decreverit [illegible] et in ane
si quid contra [illegible] reservacionem [illegible] attemptari et [illegible]
[illegible] p(ro)ut in talib(us) est fieri [illegible] que [illegible] fuerit in Eccl(esi)a s(an)c(t)i Ger
mani p(re)d(ic)ta postmodum solempnit(er) publicari et ad noticiam d(omi)ni p(re)p(osi)ti et om(n)ium quor(um) [illegible]
[illegible] adeo q(uod) nullus p(er) ignoranciam p(re)tendere vel aliquis allegare. Postmodum [illegible]
beneficio Ecclesiastico [illegible] s(an)c(t)i Germani Eccl(esi)e spectante ad collacionem vel p(rese)ntacionem d(omi)ni
p(re)p(osi)ti p(er) mortem quondam Joh(ann)is de [illegible] bone memorie [illegible]
in Eccl(esi)a p(re)d(ic)ta [illegible]
[illegible] spatium [illegible] nomine meo et p(ro) me [illegible]
acceptatum in forma [illegible] fuit [illegible] nomine meo et p(ro) me [illegible]
meis michi sup(er) [illegible] mea [illegible] apostolicam deputatis [illegible]

instrumentis supplicavit ut in de dicto beneficio Ecclesiastico pro me ut premittitur acceptato dignaretur
providere qui tamen nichil de eodem beneficio Ecclesiastico nescio quo ductus ut mox spiritu non curavit.
Verum dominus dominus prepositus dicte beneficium Ecclesiasticum auctoritate alia ordinaria contulisse post et contra reservacionem inhibicionem et decretum domini pape et executorum meorum predictorum in mei preiudicium
non modicum et gravamen. Unde ego Johannes hugonis de dudenhofen presbiter predictus sen-
ciens me ex dominoque provisione predicta ac collacione huiusmodi non modicum pregravatum pregravari
et opprimi et eorum quolibet ad sanctam sedem apostolicam et ad dominum nostrum dominum Innocen-
cium papam predictum in hiis scriptis provoco et appello. Et apostolos primo secundo et tercio instanter
instancius et instantissime michi dari peto si quis sit qui eos michi dare valeat. Submittens
me michi adherentes et adherere volentes et eorum quemlibet statum et bona nostra et
cuiuslibet nostrum protectioni sedis apostolice et domini pape Innocencii predicti. Et protestor de huiusmodi
appellacione intimanda insinuanda et notificanda omnibus quorum interest loco et tempore oportu-
nis. Et rogo te notarium publicum antedictum ut michi super dicte appellacionis interposicione conficias unum
vel plura publicum seu publica instrumenta testes testium hic astancium in notitia. Qua appellacione ut
premittitur lecta et interposita discretus vir dominus Arnoldus de Geilnhusen presbiter dominus Sancti
Gumberti Ecclesie nomine domini prepositi cuius commissarius ipse dominus pro persona ut dixit petivit sibi dari
copiam ipsius appellacionis. Honorabilis vir dominus Fredericus decanus predictus presbiter ecclesie eius copiam dicte appellacionis
sibi nomine Ecclesie prefate dari peciit et assignari. Cum suscepte decanus copiam ipsius appellacionis incontinenti
per me notarium supra et infra scriptum traditam sint et assignatam nec non per eum receptam.
Quibus sic peractis Johannes hugonis de dudelhofen presbiter supplicavit et peciit prefato domino
decano ut sibi diceret et notificaret quem ad presentacionem dicti domini prepositi ad dictum beneficium ~~instituisset~~
investivisset vel et installasset. Qui respondit publice et dixit quod ipse quendam presbiterum nomine Conrado
cuidam de Trevern cuius personam non nosceret et nomen eius ignoraret et ad dictum beneficium de
mandato prefati domini prepositi investivisset et installasset. Acta sunt hec Anno mense die hora
indictione pontificatu et loco predictis presentibus honorabilibus viris et honestis dominis Johanne de Ruprecht-
sburg Johanne Wincest et Johanne de hirchelter Canonicis Henrico de Ommesheim Nicolao de
Weissenburg Frizone de Zuern et Hartmudo Oserum presbiteris perpetuis beneficiatis Ecclesie Conrado dicto
Lauwelin notario publico et Johanne dicto Dresseler Ecclesie Spirensis ac pluribus aliis fidedignis
ad premissa prestabilibus vocatis specialiter et rogatis. Et ego Wernherus natus henrici de Bach
ensheim herbipolensis dyocesis clericus coniugatus Apostolica imperiali auctoritate notarius. Quia
dicte appellacionis lecture et interposicioni apostolorum peticioni commissionem prestatam eiusque copie
postulacioni presentacioni et recepcioni nec non supplicacioni peticioni et responsioni aliisque omnibus et singulis premissis
dum sic fierent et agerentur una cum prenominatis testibus interfui. eaque sic fieri vidi et au-
divi. Ideo hoc presens publicum instrumentum inde confeci manu mea propria conscripsi et in hanc pub-
licam formam redegi signo quoque meo solito et consueto signavi rogatus et requisitus in testimonium
et robur firmius omnium premissorum.

Et deinde post modicum temporis intervallum predictus Johannes hugonis de dudenhofen presbiter una
mecum et testibus subscriptis Chorum maiorem Ecclesie Spirensis predicte accessit in quo Choro honora-
bilem virum dominum Eberhardum de Randeckern decanum eiusdem Spirensis Ecclesie suum Executorem invenit
et dicto insinuandi intimandi et notificandi sibi predictam appellacionem in publicam formam per me notarium
subscriptum scriptam legere et publicare voluit qui dictus decanus dictam appellacionem per sua intimatam

et notificatum habuit. Itemque Johannes prefato domino Eberhardo Rettuno copiam ipsius approbationis in carta papirea conscriptam exhibuit et porrexit, quam ea tunc recipere noluit, et dixit si ipse copiam habere indigeret, ipse eam nobis notario conscripto reciperet. Super quibus me requisivit ut sibi publicum unum vel plura publica conficerem instrumenta. Acta sunt hec anno mense die hora indictione pontificatu et loco [illegible] presentibus Johanne Dreszeler et Henchino dicto Erke testibus predictis ad premissa vocatis, presentibus et rogatis. Demum vero absque temporis intervallo idem Johannes Hugonis in pretacto choro inter [illegible] ibidem situatum coram me notario notario ac testibus supra et infrascriptis prefatam approbationem alta et intelligibili voce coram multitudine hominum clericorum et laicorum copiosa legit publicavit intimavit, ex plus petiit protestatus extitit ac alia fecit que in ipsa approbatione [illegible]. Super quibus prime notarium subscriptum sibi unum vel plura publica petiit fieri instrumenta. Acta sunt hec anno mense die hora indictione pontificatu et loco proxime predictis presentibus honorabilibus viris et discretis dominis Fri dericho de Bergenberg, Conrado Petro de Schonenberg, Henrico de Nuwehusen, Hermanno [illegible] presbiteris [illegible] Apud [illegible] Woldone dicto Rezzil, Johanne Dreszeler et Henchino dicto Erke [illegible] ad premissa presentibus vocatis [illegible] et rogatis. Postmodum prefatus Johannes Hugonis de Sudenhofen presbiter una mecum et testibus infrascriptis accessit curiam habitacionis honorabilis viri domini Jacobi de Ortenbach sui executoris. Et ibidem coram eodem domino Jacobo [illegible] intimavit et notificavit eidem approbationem predictam legere et publicavit ipse dominus Jacobus eandem approbationem sibi intimatam et notificatam habuit et habere voluit. Nec non copiam ipsius approbationis in carta papirea conscriptam sibi prime notarium nomine dicti Johannis exhibitam et porrectam recepit. Super quibus prefatus Johannes petiit sibi prime notarium subscriptum unum vel plura publica fieri instrumenta. Acta ~~fuerunt~~ fuerunt hec anno mense die hora indictione pontificatu et loco predictis presentibus Johanne Dreszeler et Henchino Erke testibus predictis ad premissa presentibus vocatis et rogatis. Item [illegible] deinde absque temporis intervallo supradictus Johannes Hugonis presbiter una mecum et testibus [illegible] [illegible] ambitu ecclesie [illegible] Apud [illegible] in quo honorabilis viri domini Fridericus [illegible] [illegible] ecclesie eiusdem sui executoris [illegible]. Et approbationem predictam coram eodem domino [illegible] intimandam insinuandam et notificandam sibi eandem legere et publicare voluit. [illegible] eandem approbationem prime in publicam formam redactam plene intimatam et insinuatam habuit et habere ~~voluit~~ publice confitebatur. Copiamque ipsius approbationis in quadam papiri cedula scriptam sibi prime notarium nomine dicti Johannis exhibitam fuit et assignatam atque per eum receptam. Acta sunt hec anno mense die hora indictione pontificatu et loco predictis presentibus viris discretis ac honestis [illegible] de [illegible] presbitero eiusdem ecclesie [illegible] Johanne Dreszeler et Henchino dicto Erke testibus predictis ad premissa presentibus vocatis specialiter atque rogatis.

Et ego Wernherus natus Henrici de Bachenheim herbipolensis diocesis clericus, auctoritate Apostolica publicus imperialique auctoritate notarius, quia prenarratorum presentationi, positioni, intimationi, habitationi, lecture et publicationi copiarum porrectionibus, receptionibus, requisitionibus aliisque premissis et singulis dum sic ut premittitur fierent et agerentur una cum prenominatis testibus presens interfui, eaque omnia et singula sic fieri vidi et audivi. Ideoque hoc presens publicum instrumentum exinde confectum manu mea propria scripsi et in hanc publicam formam redegi, signoque meo solito et consueto signavi rogatus et requisitus in testimonium premissorum.

In nomine domini. Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter. Quod sub anno a nativitate eiusdem millesimo trecentesimo L septimo die prima mensis Augusti hora vesperarum vel paulo post, indictione decima, pontificatus sanctissimi in Christo patris et domini nostri domini Innocentii divina providentia pape VI anno quinto in publica strata excelsa prope vallem [illegible] [illegible] [illegible]

[illegible] presentia [illegible] [illegible]

non. In mei notarii publici et testium infrascriptorum presencia personaliter constitutus vir discretus Johannes
Higonis de Sudenhofen presbiter Spirensis diocesis a sede apostolica provisus fuerat habens et exhibens
quasdam opiniones ad sedem apostolicam predictam pro ut invenimus ob [illegible] eiusdem etiam
[illegible] in vestigere non possit ad prebendam in ecclesia sancti Germani extra muros Spirenses
[illegible] per mortem quondam Johannis de Dudenstat vacantem predictum Wilhelmum de Tremon presbiterum
per sancti Germani ecclesie [illegible] nec non adnegacione prouisionis sibi facte de Schwab
[illegible] petitos [illegible] a sede apostolica [illegible] super hoc deputatos cum non nullis aliis [illegible]
[illegible] ipsius causam cum sibi dependentibus et connexis [illegible] nec non [illegible]
[illegible] causte [illegible] sive [illegible] et ad sedem predictam apostolicam arripuit [illegible]
[illegible] Iohannes suam opinionem [illegible] sibi competens [illegible] Acta et gesta sunt hec [illegible]
[illegible] die hora Indicione pontificatu et loco quibus supra. Presentibus viris discretis et honestis. Pauo
[illegible] presbitero ecclesie prothatl sancti Germani Spirensis et Burchardo Capellano ecclesie Spirensis
[illegible] Henrico dicto [illegible] et Henrico dicto [illegible] clericis Spirensis ad premissa [illegible]
vocatis et rogatis etc.

Et ego Wernherus natus Henrici de Bacharach herbipolensis diocesis clericus auctoritate
imperiali publicus Imperiali auctoritate notarius [illegible] et [illegible] alijs quibus
et singulis premissis una cum prenominatis testibus presens interfui ea que sic fieri vidi et audivi [illegible]
presens publicum instrumentum inde confeci manu mea propria conscripsi et in hanc publicam formam redegi
signoque meo solito et consueto signavi rogatus et requisitus in testimonium premissorum etc.

[illegible] [illegible] [illegible] dei [illegible] Episcopo Spirensis Salutem et apostolicam benedictionem.
Constitutus in presencia nostra dilectus filius Johannes Higonis de Sudenhofen presbiter clericus
Spirensis nobis humiliter supplicavit ut cum ipse sicut asserit beneficium aliquod ecclesiasticum non ob
[illegible] sibi de benignitate apostolica [illegible]. Cum igitur [illegible] sicut [illegible]
beneficia [illegible] [illegible] [illegible] [illegible] [illegible] cum idem [illegible] quem per clericos ex
[illegible] super hoc deputatos [illegible] de litteratura experimenti fecimus diligenter [illegible]
[illegible] [illegible] [illegible] ad [illegible] beneficium obtinendum. Nos de vita et
[illegible] [illegible] nouam [illegible] habentes [illegible] apostolica [illegible] quia
[illegible] [illegible] [illegible] [illegible] laudabilis et honesto [illegible] esse
reperiens et aliud beneficium ecclesiasticum non obtinet [illegible] [illegible] [illegible] de
aliquo [illegible] beneficio [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] assignari spectare ad collacionem vel presentacionem dilecti filij
Prepositi ecclesie sancti Germani extra muros Spirenses si quod in civitate vel diocesi Spirensis vacat
ad presens vel quam primum ad id vacaverit [illegible] [illegible] [illegible] [illegible] predicte [illegible]
[illegible] cum [illegible] possessionem [illegible] beneficium et defendes inductum ac [illegible]
ipsum ad aliud [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] sibi provisum fuit [illegible] [illegible] [illegible] non obstantibus si
aliqui [illegible] vel [illegible] predecessores nostri Romani Pontifices auctoritate huiusmodi beneficium
ad dictum Prepositum collacionem vel presentacionem spectancia [illegible] in huiusmodi [illegible]
alias quamque [illegible] provisionis expectent quibus omnibus preter quam auctoritate nostra huiusmodi
beneficia expectantibus dictum clericum in [illegible] huiusmodi beneficij volumus anteferri sed nullum
per hoc eis quoad assecucionem aliorum beneficiorum preiudicium generari. Aut si aliquibus [illegible]
[illegible] [illegible] ad dictum Prepositum spectantibus [illegible] litteras [illegible] provisum [illegible]

[illegible] ad [illegible] fit in dilatione quod ad

recipiendum vel prestandum idoneus minime remanserit [illegible] ad id compelli aut [illegible]

suspendi vel excommunicari non possit vel [illegible] de beneficiis [illegible]

spectantibus non posse aliquibus privilegiis [illegible] apostolicis non facientes plenam et expressam

de verbo ad verbum huiusmodi mentionem sive quibuslibet aliis [illegible] sedis in dulgentiis [illegible] cuius

existat per quam effectus presentium impediri valeat vel differri et de qua in [illegible]

mentionem fieri oporteat specialem. Contradictores [illegible] ecclesiasticam [illegible]

postposita compescendo. Jta tamen quod idem etiam prout requirit onus beneficii de quo ei

infrascriptum fuerit ad ordines se faciat statutis temporibus promoveri et personaliter residere [illegible]

mandati [illegible] ulterius impleverit quod [illegible]

[illegible] et obedientiam [illegible] Volumus autem [illegible]

[illegible] seu quibuslibet aliis obtente nec non promissiones et obligationes a quibus [illegible] presens

facta super ipsius [illegible] pro provisione sint in valide omnino [illegible] firmitatem. Ceterum

districtius inhibemus ne prefato etiam auctoritate predicta in cathedrali aliquotiens [illegible]

non certa vel de cuiuslibet ecclesie collegiate prebenda vel alio beneficio ecclesiastico sine cura

cuius redditus et proventus annui quindecim marcharum argenti summam sive de aliqua

parrochiali ecclesia vel aliquo ecclesiastico beneficio cum cura annexa habente cuius redditus

et proventus viginti marcharum argenti annuam [illegible] excedunt valorem aut annui

huiusmodi redditus et proventus declaramus et haberi volumus expresse prout de illis

secundum taxationem vel alias predictum est amplius [illegible]. [illegible] tamen [illegible]

existit quod de huiusmodi beneficio cum si minoris [illegible] valoris existerit possit

eadem etiam si aliud in fine [illegible] mensis spatium post quam sibi de ipsius beneficii [illegible]

tenet acceptare voluerit [illegible] prefato [illegible] preposito ne post [illegible]

[illegible] et [illegible] habuerit et [illegible] beneficii [illegible]

[illegible] disponere quoquo modo presumat districtius inhibemus decernentes irritum et in

ane si secus super premissis a quoquam quavis auctoritate contigerit attemptari. Datum

Avinione vij Idus Februarii Pontificatus nostri Anno primo.

In nomine domini amen. [illegible] Instrumentum publicum [illegible] Anno

nativitatis domini Millesimo tricentesimo Quinquagesimo [illegible] Indictione [illegible]

Innocentii pape sexti Anno primo hora [illegible]

[illegible] mei notarii publici et testium subscriptorum [illegible] Johannes [illegible] de [illegible]

[illegible] super premissis [illegible]

[illegible] valens [illegible]

[illegible] domini [illegible] episcopi [illegible] in negocio [illegible] episcopo premissis [illegible]

[illegible] et [illegible] hostiario [illegible]

[illegible] premittit [illegible]

[illegible] non posset et [illegible] negociis [illegible]

[illegible] huiusmodi [illegible] executio [illegible]

[illegible] fieri [illegible]

[illegible]

[illegible] presentibus [illegible]

[illegible]

[illegible] premissis [illegible]

Item [illegible] hora [illegible] Anno [illegible] [illegible] [illegible]
[illegible] Gerardo epo [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] Johes [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] causa [illegible] ipius [illegible] [illegible] [illegible] de mea laudabili [illegible]
[illegible] [illegible] dnm epm [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] pdcs [illegible] Johs [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] epe [illegible] ut quamoudeui [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] et dc pfat Johes dixit [illegible] [illegible] [illegible]
[illegible] posse [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] nec eas legere seu legi [illegible] [illegible] [illegible]
[illegible] alia se dimittendo abijt et dc pfat Johes [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
Johes peciit [illegible] [illegible] ut sup h [illegible] sibi publicum instrum [illegible] [illegible] [illegible]
[illegible] henrico [illegible] Carpentarij et Nicolao [illegible] [illegible] subdiacono et Cristophoro [illegible] [illegible]
[illegible] [illegible] [illegible] testibz [illegible] Acta sunt h [illegible] [illegible]

Item die xxiij mens pdca hora [illegible] None Anno Indict pont [illegible] [illegible] [illegible]
[illegible] dni Gerardi epi [illegible] pdca Coram me notar publ et testibz [illegible] [illegible]
Johes [illegible] pdcs quesiuit a quodam [illegible] noie henrico [illegible] [illegible] [illegible]
vbi ipe epe esset et [illegible] [illegible] [illegible] Qui [illegible] [illegible] [illegible] dnm [illegible]
[illegible] [illegible] [illegible] non esse Ipe vero Johes pdcs [illegible] [illegible] dixit [illegible] vos [illegible]
[illegible] nobis constat [illegible] [illegible] [illegible] Gerhardus [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] verba [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] Vnde ego Johes pdcs [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] dnm epm [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] Acta sunt h Anno [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] Johe [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] subdiacono [illegible] testibz ad pmissa vocatis [illegible] et Rogatis

Et ego Johes [illegible] [illegible] [illegible] [illegible] auctoritate Imperiali notarius publicus [illegible] [illegible]
[illegible] [illegible] [illegible] execucione [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
et oibz [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] meo signo [illegible] Rogatus [illegible] [illegible] [illegible]

Innocentius epus seruus seruorum dei Dilectis filijs [illegible] [illegible] [illegible]
ac [illegible] de [illegible] Canonico [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] nob dilectus filius Johes [illegible] de [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] sup prouisione sibi facienda de aliquo beneficio ecclesiastico [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] consueto [illegible] [illegible] [illegible] assigna
[illegible] [illegible] [illegible] [illegible] [illegible] filijs [illegible] [illegible] [illegible] [illegible]

muret [illegible] cuius [illegible] non express[illegible] [illegible] forma [illegible] quam propter [illegible]
[illegible] literas impetravit et quod predictis literis venerabili fratri
nostro [illegible] episcopo Spiren[si] [illegible] [illegible] [illegible]
[illegible] requisito, ut ad executionem [illegible]
[illegible] Idem episcopus ad receptionem [illegible] super vita et conversatione [illegible]
et alys [illegible] indictis literis mandabantur [illegible]
hoc [illegible] [illegible] negligenter distulit et [illegible]
apostolicam sibi [illegible] pro [illegible] opequi non [illegible] Quare [illegible] literas
et [illegible] ad nos iterato recurrere [illegible] supplicavit ut [illegible] sibi super hoc [illegible]
[illegible] Nos igitur [illegible] paterno in hac parte compatientes
affectu ac volentes [illegible] predictis [illegible] inchoari [illegible]
[illegible] per apostolica scripta mandamus quatenus si est ita in huiusmodi executione negotii
auctoritate nostra [illegible] procedas [illegible] per nos eidem episcopo directas
[illegible] literas. Quod si non [illegible] exequendis potueritis interesse [illegible]
ea nihilominus exequatur. Datum Avinion[e] [illegible] Id[us] Decembris pontificatus nostri anno
primo 1332.

In nomine domini amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod
Anno a nativitate domini [illegible] tricentesimo quinquagesimo [illegible] Indictione [illegible]
domini nostri Innocencii divina providencia pape VI Anno [illegible] [illegible]
hora [illegible] in ecclesia [illegible] [illegible] [illegible] In mei notarii
et testium subscriptorum presencia constitutus Johannes [illegible] de [illegible]hofen clericus Spiren[sis] [illegible]
[illegible] in forma [illegible] apostolica [illegible] [illegible]
[illegible] Innocencio papa VI [illegible] impetrasse super [illegible]
[illegible] [illegible] [illegible] ut [illegible]
honesti viri domini [illegible] ecclesie [illegible] [illegible] et super [illegible]
[illegible] literas apostolicas bullatas in quibus [illegible] honesti viri [illegible] ecclesie [illegible]
quibus [illegible] alys [illegible] domino papa [illegible] executor [illegible] super vita laudabili
et conversatione honesta et [illegible] [illegible] et alys que [illegible] literis
mandabantur [illegible] [illegible] adiit [illegible]
[illegible] canonico et domino [illegible] ecclesie [illegible] inquisivit et requisivit
[illegible] ut que [illegible] [illegible] respondit [illegible]
[illegible] [illegible] in decanum [illegible] [illegible]
[illegible] [illegible] hoc audiens [illegible] [illegible]
per eum liberius [illegible] ut [illegible] sibi [illegible] volens [illegible]
[illegible] quod sibi [illegible] posset [illegible]
[illegible] publicum [illegible] sibi [illegible] instrumentum publicum Acta sunt [illegible] Anno [illegible]
[illegible] hora [illegible] loco [illegible] [illegible]
clerico Spiren[si] et Conrado de [illegible] [illegible] [illegible] testibus [illegible]
[illegible] 1332.

Et ego Johannes dictus [illegible] presbiter Spiren[sis] publicus imperiali auctoritate notarius [illegible]
et singulis [illegible] [illegible] [illegible] [illegible]
hoc publicum instrumentum [illegible] propria manu [illegible] [illegible] signo [illegible]
[illegible] instrumentum [illegible] 1332.

[illegible] rabili ac discreto viro domino [illegible] ecclesie [illegible] capitulo [illegible]
ac omnibus aliis et singulis [illegible] [illegible] intellexerint [illegible] quos infra [illegible]
[illegible] quolibet infrascriptis .. Nos [illegible] de Pandetta [illegible]
de [illegible] canonicus [illegible] Exsecutor ad infrascripta una cum [illegible]
[illegible] ecclesie [illegible] valde apostolica specialiter deputati salutem in domino et
mandatis nostris [illegible] [illegible] vero apostolicis firmiter obedire · Litteras sanctissimi in Christo patris
ac domini nostri domini Innocentii divina providentia pape vj eius vera bulla in filo canapis [illegible]
[illegible] more Romane curie bullatas non abolitas non abrasas nec cancellatas sed prorsus
[illegible] vitio et suspitione carentes .. venerabili patri ac domino domino Episcopo [illegible] directas [illegible]
tenor talis est [illegible] Innocentius episcopus servus servorum dei venerabili fratri Episcopo [illegible] salutem
et apostolicam benedictionem Cum [illegible] in [illegible] dilectus filius Johannes [illegible]
[illegible] pauperis clericus [illegible] nobis humiliter supplicavit [illegible] aliquod
beneficium non obtineat providere sibi [illegible] apostolica [illegible] Quia [illegible]
sunt ad consequendum beneficium [illegible] [illegible] mores et [illegible] [illegible] quo
[illegible] [illegible] [illegible] debeamus [illegible] [illegible]
[illegible] in illa consueverunt ydoneus ad consequendum beneficium [illegible] Nos de [illegible]
[illegible] habeas [illegible] [illegible] pauperis [illegible]
[illegible] diligens [illegible] inquiras si [illegible] laudabile et honeste conversationis [illegible] aliud
beneficium ecclesiasticum non obtinet [illegible] canonicum non obsistat ei de beneficio ecclesiastico [illegible]
[illegible] perpetuo [illegible] cum cura vel sine cura [illegible] [illegible]
vel [illegible] ad collationem vel provisionem [illegible] [illegible] [illegible] Germani [illegible]
[illegible] ut dicit [illegible] [illegible] ad [illegible] abu
lent [illegible] [illegible] [illegible] Inducens eum in corporalem possessionem
[illegible] defendens inductum ac facias [illegible] ad illud [illegible] Contradictores [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] Non obstante si aliqui [illegible] [illegible] [illegible]
[illegible] beneficia ad [illegible] collationem [illegible] [illegible] [illegible] pauperes [illegible]
alia [illegible] forma [illegible] [illegible] [illegible] [illegible] beneficia [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] quos
ad assecutionem aliorum beneficiorum [illegible] [illegible] si aliquibus de beneficiis [illegible]
[illegible] ad [illegible] [illegible] [illegible] [illegible] ut [illegible]
in qua sibi provideri [illegible] [illegible] ad receptionem vel provisionem [illegible]
[illegible] [illegible] [illegible] suspendi vel excommunicari non possint
vel [illegible] de beneficiis ad eorum collationem vel [illegible] [illegible] non possit [illegible] [illegible]
[illegible] non [illegible] plena et expressa [illegible] [illegible] [illegible] alia [illegible]
[illegible] indulgentiam [illegible] [illegible] [illegible] effectus [illegible] impediri valeat [illegible]
[illegible] et de qua [illegible] [illegible] [illegible] oporteat specialem [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] omnes beneficium de quo
ei provisum fuerit [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
Mandatum [illegible] in hac parte [illegible] [illegible] [illegible] [illegible] pauperi

et obedientiam mandantes. Volumus autem quod [illegible] ut eius legitime [illegible]
[illegible] non permissis et [illegible] [illegible] perpetuo [illegible]
in valle [illegible] [illegible] Cum distenciis [illegible] ne [illegible] in
[illegible] aliquem predicti [illegible] de quibus [illegible] [illegible] alio [illegible]
sine cura cuius reditus et proventus annui quindecim marcharum argenti [illegible]
[illegible] vel alio [illegible] [illegible] cum [illegible] et [illegible]
[illegible] argenti annui [illegible] annui [illegible]
declaramus et [illegible] [illegible] [illegible] ut [illegible] [illegible]
[illegible] in [illegible] [illegible] quod [illegible] [illegible]
[illegible] eidem clerico si illud [illegible] [illegible] de ipso [illegible]
[illegible] acceptare noluit [illegible] [illegible] ne [illegible] [illegible]
habitorum [illegible] de ipso [illegible] [illegible] ante acceptacionem huiusmodi [illegible]
[illegible] [illegible] de [illegible] [illegible] [illegible]
contigit [illegible]. Datum Avinione VIII Idus Februarii pontificatus nostri Anno [illegible]
litteras [illegible] domini nostri Innocencii pape VI vera sua bulla plumbea [illegible]
more Romane curie bullatas sanas et integras [illegible] [illegible] in [illegible] Johannis [illegible] de
[illegible] clerici [illegible] [illegible] cum ea qua decuit [illegible] [illegible]

Innocencius episcopus servus servorum dei dilectis filiis [illegible] et [illegible] Trinitatis [illegible]
[illegible] de [illegible] [illegible] [illegible] [illegible] et apostolicam benedictionem.
[illegible] nobis dilectus filius Johannes [illegible] de [illegible] pauper clericus [illegible]
[illegible] quod ipse [illegible] [illegible] examinatores super hoc deputatos [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] ad [illegible] [illegible]
super [illegible] sibi [illegible] [illegible] [illegible] [illegible] [illegible]
cura ut sine cura [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ut [illegible] [illegible] [illegible] ad venerabilem fratrem [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et quod [illegible] venerabili fratri nostro Gerhardo episcopo [illegible]
[illegible] [illegible] ipsoque Gerhardo episcopo [illegible] [illegible] [illegible]
[illegible] ut ad execucionem litterarum nostrarum predictarum [illegible] [illegible] [illegible] episcopo [illegible]
super [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] super hoc [illegible] predicte [illegible] negligencia [illegible] et [illegible]
mandatum huiusmodi [illegible] sibi [illegible] [illegible] [illegible] [illegible]
laboribus et expensis [illegible] [illegible] nobis humiliter supplicavit ut providere sibi super hoc [illegible]
[illegible]. Nos igitur eidem clerico [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] execucionis [illegible] [illegible] [illegible] [illegible]
episcopo [illegible] [illegible] litterarum [illegible] [illegible] [illegible] [illegible]
[illegible] exequi [illegible]. Datum Avinione [illegible] Idus Decembris Pontificatus nostri Anno Primo.

Post quarum litterarum [illegible] [illegible] Johannes pauper clericus nobis humiliter supplicavit ut ad execucionem [illegible] [illegible]. Et [illegible] [illegible] [illegible] [illegible] [illegible]

sed et ministris spiritualibus ac per unum collegam legitime vocatus non paruit [illegible] potestis formate
examinatione in quodam instrumento publico super hoc confecto sepedicti Et ut gratia dicto Johanni clerico [illegible] fructuosa existat cum super
pretactis tam excellentie quam competentie vel officio et etate Quod si non omnes et vos sufficientes
prius et negligentiam vestram prius domini Gerhardi episcopi spiritualis in instrumento quondam publico notarii
ad implere et exequi ut tenemini iuxta formam et tenorem litterarum apostolicarum predictarum et dicto episcopo
directarum debita et consueta ac vices ipsius [illegible] et aliis in eis litteris contentis quas et processum
et mandatum aut processus [illegible] et hoc [illegible] presentium vobis mandamus et nostrum dilige-
Et quod debita et consueta congruentie et inquirere probabiliter personas [illegible] ipsum et esse clerica
et ordine constitutum per prefatum dictum Johannem consultis pluribus et eum esse vere laudabilem ipsum et
honestum [illegible] ad censuram [illegible] obtinendam esset si [illegible]
[illegible] non inveniretis aliquid canonice quod obstaret videlicet
quod dicta provisio [illegible] ut in predicta debet quomodo dictum Johannem prerogativis
per prius esse idoneum et habilem ad huiusmodi [illegible] beneficium [illegible]
[illegible] sine cura cuius fructus redditus et proventus annui [illegible] marcharum argenti secundum
ut communis extimatio valorem annuum [illegible] non excedunt [illegible]
[illegible] de illo ampla [illegible] ad collationem ut provisionem [illegible]
clericis secularibus assignari [illegible] ut dictus episcopus vacat ad presens [illegible] de [illegible]
[illegible] ipsi clerico [illegible] forma et tenore litterarum apostolicarum [illegible] et [illegible]
et ipsum investiendum [illegible] Mandantes vobis ut [illegible] clerici [illegible]
[illegible] apostolicam [illegible] duos per se et
reliquos duos [illegible] ac canonicum [illegible] assignari [illegible]
[illegible] stallum sibi in choro et locum [illegible]
[illegible] assignaret sibi [illegible] de fructibus [illegible] et obventionibus [illegible] ad nos
[illegible] respondeat et ab aliis faciatis integre respondi Si non nullum [illegible] beneficium ac cura [illegible]
[illegible] collationem vel provisionem [illegible] beneficium [illegible]
[illegible] collationem vel provisionem [illegible]
ut dictus primo vacare contigit dicto Johanni clerico iuxta tenorem litterarum debitum collationem et provisionem
[illegible] uno vobis apostolice eidem clerico conferendum expresse et specialiter [illegible] reservavit Inhibentes [illegible]
vobis [illegible] apostolica nobis in hac parte commissa ac omnibus aliis et singulis [illegible]
[illegible] quolibet [illegible] ac monentes vos semel [illegible] et peremptorie ne huiusmodi beneficium
[illegible] ad vestram collationem vel provisionem [illegible] clerico [illegible]
[illegible] assignaretis aut ad [illegible] beneficium aliquem [illegible] admittatis seu
[illegible] tenorem [illegible] apostolica [illegible]
aut dispositionem attemptare [illegible]
[illegible] per se vel alios publice vel occulte [illegible] auxilium vel favorem [illegible]
[illegible] clerico [illegible] extunc [illegible]
[illegible] huiusmodi beneficium [illegible] valorem [illegible] ipsum non
[illegible] post quam sibi de ipsius beneficium [illegible]
ad hoc [illegible] Nos enim quidquid de huiusmodi beneficio [illegible]
[illegible] vacat ad presens aut in futurum vacare contigerit [illegible]
alios [illegible] attemptatum fuit [illegible] irritum et inane. Quod si forte [illegible] non vel

in placuit et mandatis nostris immo verius apostolicis non paruerint cum effectu prout ut premissum presentium publice ut certe prefatum moniciones premissa in vos (sic) et non nominatim omnes alios et singulos quorum interest ut interesse ac quos tangit alios contradictores et rebelles cuiuscumque sunt seu fuerint preeminencie dignitatis auctoritatis ordinis condicionis et status auctoritate apostolica supradicta in hiis scriptis excommunicamus et sancti Germani predictum in dicta summas excommunicamus prout excommunicavit sententiam et eius penalitatem. Cuius nos autem omnium et quorumlibet si contradictores sint et rebelles prout inferius sunt [illegible] premissorum [illegible] vobis nobis et superiori nostro in premissis tantummodo reservantes. Ceterum quod hoc apostolicum [illegible] prestet Johannem ut eius procurator remaneat et non prout [illegible] predictis [illegible] penes prefatum Johannem ut eius poterit remanere et non prout contra [illegible] Continuo dominus [illegible] prefatis prout [illegible] ut patroni sui in litteris quibuslibet decenter Continuum [illegible] latus modo quo licet sui ipso facto volumus [illegible] dicto Johanni [illegible] et eius procuratoris ut vos si petentibus fiant vobis sumptibus copia de premissis [illegible] publice [illegible] innovatione et notificationi premissorum litteras apostolicas et processus nostros possimus ut esse aliis negociis ordine occupati. Honorum et discretorum virorum dominis canonicis sancti Germani sancti Medardi [illegible] sancti Jacobi Bartholomei Petri Mauricii Egidii et ceterarum ecclesiarum [illegible] predictarum Spirensis civitatis et [illegible] complebitis vel non [illegible] et singula probaverint [illegible] vocati publicavit [illegible] Spirensis constituti coram ut dominus [illegible] non expectet seu [illegible] in [illegible] sub obediencie et sub excommunicationis pena districte [illegible] mandamus ut ipsi vel eorum alter [illegible] ad ecclesiam sancti Germani predictam accedat ut accedant et presentes litteras apostolicas et hunc nostrum processum ac omnia et singula [illegible] ubi [illegible] fuit legant publicent in [illegible] notificent et exequantur [illegible] legi publicari exequi et [illegible] [illegible] [illegible] sigillorum nostrorum [illegible] Rolandi. Datum [illegible]

Anno domini millesimo tricentesimo quinquagesimo quinto die quinta mensis Marcii pontificatus domini nostri Innocencii pape sexti Anno secundo.

Et ego [illegible] dictus [illegible] presbiter [illegible] notarius publicus quia [illegible] testium receptioni examinationi et mandati executionis [illegible] ac dictio et aliis omnibus et singulis [illegible] ea per omnia ut premittitur fieri et audivi [illegible] Executoris predicti processum [illegible] et inde hanc formam publicam redigere propria manu scripsi [illegible] meo signo signavi rogatus et [illegible] premissorum. Constat [illegible] non [illegible] dicti Johannis [illegible] non [illegible] et eandem [illegible] approbo et collaudo.

In nomine domini amen. Per hoc presens publicum instrumentum cunctis [illegible] quorum interest et interesse poterit ut qui sua interesse crediderint pateat manifeste quod sub anno a nativitate domini m° ccc° l° vi° die vicesima [illegible] mensis Januarii hora [illegible] sancti Medardi Spirensis [illegible] decima [illegible] dominus noster dominus Innocencius [illegible] divina [illegible] anno quinto [illegible] Spirensis [illegible] in presencia mei notarii publici subscripti et testium infrascriptorum personaliter constitutus [illegible] Johannis Hugonis de Duchesten Spirensis [illegible] fecit constituit et ordinavit veros et legitimos procuratores negociorum gestores et nuncios speciales [illegible] viros dominos Nicolaum [illegible] [illegible] presentem [illegible] procuratorem [illegible]

Sudenffelt Epus dni pape et eius huiusmodi procuratoris nisi sponte susceperit. necnon Joh[illegible]
dam adam presbiterum sancte Marie et Johannem de dune presbiterum sancte Trinitatis Eccl[es]ie [illegible]
presbiteros absentes tamquam presentes et quemlibet eorum in solidum [illegible] [illegible]
occupantis sed quod unus eorum inceperit id alter prosequi valeat et finire ad insinuandum publi-
candum notificandum et prosequendum pro [illegible] eius nomine gratiam apostolicam sibi in forma pauperum
factam Innocencii pape sexti de beneficio ecclesiastico cum cura vel sine cura spec-
tante ad collacionem vel presentationem honorabilium virorum et dominorum [illegible] Ecclesie sancti Germani [illegible]
[illegible] Epus facta in suo processu executorum super dicta gracia confectum et quascumque
alias litteras seu processus suos vel sinodales coram illis quibus et ubi quando et quocies
hoc fuerit oportunum Et acceptandum ipsius Johannes hugonis de [illegible] presbiteri nomine
procuratorio et pro ipso beneficium ecclesiasticum ad dictam dominorum [illegible] collacionem pertinens vacans ad [illegible]
ut vacaturum sibi Johanni [illegible] predicte sue gratie apostolice et nulli alii de iure debitum et
ad petendum se ad illud recipi et admitti et se de eodem investiri et in eiusdem possessio-
nem corporalem seu quasi mitti et induci et ad petendum sibi stallum in choro assignari
Et admittendum et prestandum in animam suam quelibet genus sacramentum et specialiter de observandis
dictis statutis et consuetudinibus ipsius Ecclesie in quantum sibi providebitur et prout consuetum est prestare
Et ad petendum exigendum et recipiendum fructus redditus proventus et obvenciones huiusmodi
beneficiorum et ad faciendum finem et quitacionem ac pactum de ulterius non petendo Insuper sinceros
fuit ad agendum defendendum excipiendum replicandum libellum petendum recipiendum
atque dandum litem contestandum Juramentum calumpnie aut cuiuslibet alterius generis sacramentum
in animam ipsius constituentis prestandum ponendum positionibus respondendum testes et instrumenta
producendum contradicendum et de testibus opponendum et probandum sententias interlocutorias et diffini-
tivas audiendum ab ipsis et ab alio quacumque gravamine appellandum appellacionem prosequendum apostolos
et expensas petendum et recipiendum alium seu alios procuratorem seu procuratores substituendum
et eundem seu eosdem revocandum et onus procuracionis in se resumendum quando et quociens eis
vel eorum alteri videbitur expedire ac omnia et singula alia faciendum procurandum et exercen-
dum que in premissis et circa premissa quemlibet necessaria fuerint et oportuna eciam si mandatum exi-
gant speciale promittens se ratum et gratum habiturum quicquid per dictos duos procuratores aut
eorum alterum aut substitutum seu substitutos ab eis aut eorum altero ~~[illegible] predictos~~
~~suos procuratores~~ et substitutum seu in premissis seu quolibet premissorum actum fuerit seu quomodolibet
procuratum. volens quod idem Johannes predictus [illegible] procuratores et substitutum seu substitutos ab eis
aut eorum altero relevare ab omni satisdandi [illegible] promisit in notario publico infra-
scripto tamquam publica persona stipulanti et recipienti vice et nomine omnium quorum interest vel in-
terit iudicio sisti et iudicatum solvi cum omnibus suis clausulis sub rerum suarum omnium obli-
gatione et ypotheca Acta fuerunt hec Anno mense die hora ~~[illegible]~~ Indictione ponti-

et loco quibus supra presentibus viris discretis videlicet domino Theoderico de Saxia plebano alemanice Curie Ricardo fabro Fridericus de Wachenhoven et Henricus puero Bitzonis de Landowia presentis [illegible] Ecce fratre Andreas [illegible] ad premissa testibus vocatis specialiter et rogatis etc.

Et ego Ulricus natus Henrici de Bet[illegible] Herbipolensis dyocesis clericus [illegible] publicus Imperiali auctoritate notarius Quia [illegible] constitutione actorum [illegible] ratihabitioni premissorum aliis quibus omnibus et singulis premissis una cum prenominatis testibus presens interfui eaque ut sic fieri vidi et audivi Ideoque hoc presens publicum instrumentum exinde confectum manuque mea propria scriptum [illegible] publica forma redegi signoque meo solito et consueto signavi rogatus et requisitus in testimonium premissorum.

In nomine domini amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno a nativitate domini Mº CCCº Lviijº die vicesima [illegible] mensis Junij hora [illegible] [illegible] constitutus vir dominus Johannes de Sudensfelt [illegible] prebendam ecclesie sancti Germani [illegible] Spirensis [illegible] Indictione [illegible] pontificatus sanctissimi in christo patris et domini nostri domini Innocentij divina providentia pape vj anno [illegible] in [illegible] sancti Germani [illegible] in mei notarij publici subscripti ac testium infrascriptorum presentia personaliter constitutus discretus vir dominus Nycolaus dictus zu dem Giebel [illegible] vicarius ecclesie predicte [illegible] Sudensfelt [illegible] procurator discreti viri domini Johannis hugonis de Dudenhofen [illegible] Spirensis dyocesis una cum [illegible] aliis personis coram me notario subscripto ad hoc et ad alia infrascripta constitutus et procurator nomine [illegible] predictam [illegible] ecclesiam sancti Germani [illegible] per [illegible] Johannis de Sudensfelt [illegible] prebende [illegible] ultimum prebendarium acceptavit [illegible] in forma [illegible] petivit [illegible] prefatum [illegible] Johanni hugonis de Dudenhofen [illegible] nulli alij de jure debeat [illegible] si [illegible] debeat [illegible] salvum sit [illegible] Johannis ut [illegible] alium prebendam in [illegible] vacaturam acceptandi. Acta sunt hec anno mense die hora Indictione pontificatu et loco prefatis presentibus honorabilibus viris et discretis dominis [illegible] Johanne [illegible] Johanne [illegible] Canonicis ecclesie sancti Germani [illegible] petro [illegible] [illegible] clerico [illegible] Spirensis [illegible] pluribus aliis fidedignis ad premissa prefatis vocatis specialiter et rogatis :–

Et ego Wilhelmus natus [illegible] de Bacharach in herbipolen [illegible] dyocesis clericus [illegible] publicus Imperiali auctoritate notarius [illegible] acceptationi prefatis [illegible] premissis [illegible] cum prefatis testibus presens interfui [illegible] sic fieri vidi et audivi [illegible] presens publicum instrumentum inde confeci manu mea propria conscriptum in hanc publicam formam redegi signoque meo solito et consueto signavi Rogatus et requisitus in testimonium [illegible] super eo :–

In nomine domini amen. Per hoc presens publicum instrumentum cunctis appareat evidenter quod anno a nativitate domini Mº CCCº Lvijº die [illegible] mensis Julij hora quasi prime Indictione X pontificatus sanctissimi in christo patris et domini nostri domini Innocentij divina providentia pape [illegible] anno quinto Infra [illegible] Spirensis [illegible] habitationis [illegible] domini Eberhardi de [illegible] [illegible] ecclesie Spirensis [illegible] notarij publici et testium infrascriptorum presentia personaliter constitutus vir discretus Johannes hugonis de Dudenhofen [illegible] Spirensis [illegible] ac [illegible] domino Eberhardo decano suo [illegible] ut sibi [illegible] prebendam sacerdotalem [illegible] sancti Germani extra muros Spirenses [illegible]

[illegible] / [illegible] / [illegible] / [illegible] / [illegible] / [illegible]

bone memorie Johis de [illegible] [illegible] [illegible] [illegible] resignavit. Qui dns decanus [illegible] incontinenti dixit quod ipse nollet nec posset sibi providere quia [illegible] [illegible] [illegible] prebenda et donacio esset [illegible] pro [illegible] posset sibi providere super qua responsione pfatus Johes [illegible] decano [illegible] et pfatis opus [illegible] testatus fuit publice [illegible] appellavit. Acta sunt hec [illegible] [illegible] [illegible] hora [illegible] [illegible] et loco pdictis presentibus viris discretis Rützelino de [illegible] clerico et Johe [illegible] laico [illegible] opus ad premissa testibus vocatis pariter et rogatis.

Item deinde die Jouis sexta mensis July pdicta anno dni Indictione [illegible] pfatis hora [illegible] pfatus Johes [illegible] [illegible] supplicavit Henrico [illegible] dno Walramo de [illegible] pro [illegible] [illegible] [illegible] pdicte collacionis [illegible] ut sibi [illegible] et [illegible] que [illegible] datum prebenda [illegible] seu in vestire et installare [illegible] [illegible] Qui dns [illegible] [illegible] [illegible] [illegible] videt quod ipse [illegible] nichil sibi [illegible] [illegible] [illegible] [illegible] super quibus [illegible] [illegible] ~~[illegible]~~ [illegible] ut sibi [illegible] [illegible] plura [illegible] [illegible] [illegible]. Acta sunt hec [illegible] [illegible] opus discretis et honestis Johe dcto [illegible] et Hennekino dco [illegible] [illegible] opus ad premissa testibus vocatis specialiter et rogatis.

Et ego Wernherus natus Henrici de Bacherheim herbipolen dioc clericus [illegible] opus publicus imperiali auctoritate notarius [illegible] supplicacionibus et [illegible] [illegible] et [illegible] [illegible] pdictis alys quod omnibus et singulis premissis una cum pfatis testibus [illegible] [illegible] [illegible] [illegible] fieri vidi et audivi Ideo hoc presens publicum instrumentum inde confecta manu mea [illegible] [illegible] [illegible] [illegible] [illegible] publicam redegi et signo meo solito et consueto signavi Rogatus et [illegible] [illegible] testimonium omnium premissorum.

.b.– In nomine dni amen. Per hoc presens publicum instrumentum cunctis [illegible] [illegible] [illegible] [illegible] [illegible] anno a Nativitate eiusdem Millesimo Trecentesimo Quinquagesimo [illegible] die [illegible] vicesima octava mensis July hora [illegible] [illegible] [illegible] in [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] dni Innocentij diuina providencia [illegible] anno [illegible] In [illegible] opus [illegible] [illegible] [illegible] [illegible] presente [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] Johes [illegible] de [illegible] pfatis opus [illegible] [illegible] [illegible] [illegible] [illegible] viro Nicolao [illegible] [illegible] [illegible] opus [illegible] [illegible] [illegible] et dixit quod sibi Johi [illegible] et [illegible] esse [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] non posse contra [illegible] ad [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] opus [illegible] [illegible] Johe de [illegible] eiusdem [illegible] [illegible] [illegible] [illegible] prebendam [illegible] [illegible] ~~[illegible]~~ [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] sibi supplicavit ut sibi [illegible] [illegible] [illegible] [illegible] eiusdem [illegible] [illegible] ipse ad [illegible] [illegible] investitus et installatus esset / [illegible] sibi [illegible] et [illegible] [illegible] [illegible] et [illegible] sua [illegible] [illegible] ad [illegible] [illegible] [illegible] super [illegible] [illegible] [illegible]. Qui dns [illegible] dixit se [illegible] [illegible] / [illegible] [illegible] ad [illegible] [illegible] investitus et installatus [illegible] [illegible] Johi [illegible] quod [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] suo [illegible] [illegible] nomine et persona [illegible] agnosceret seu [illegible] [illegible] posset. Et mox [illegible] [illegible] [illegible] [illegible] notarium in publicum [illegible] [illegible] et [illegible] [illegible] in [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

ad [illegible] beneficiu[m] p[re]dict[um] in eo[n]de[m] [et] installa[tione]m [illegible] Nicolao exhibu[er]it [et] porrex[er]it p[re]fat[us]
d[omi]n[u]s Nicolaus dix[it] q[uod] no[n] adh[er]eret nec dea[m] [com]missio[n]e[m] acceptaret ex eo q[ui]a officiu[m] hui[us]
p[ro]curac[i]o[n]is resignasset Et cu[m] ip[s]e dea[m] [com]missio[n]e[m] recip[er]e noluiss[et] p[re]fat[us] Joh[ann]es [e]a[m] [com]missio[n]e[m]
p[ri]me ut p[re]mittit[ur] in publ[icu]m f[or]m[a]m redacta[m] sup[er] vestim[en]ta s[ed] in p[rese]ncia p[re]d[ic]ti Nicolai [con]stitu[ti]
posuit que sic posita sup[er] eu[m] [illegible] Sup[er] q[ui]b[us] o[mn]ib[us] p[re]d[ic]tus Joh[ann]es requisiv[it] me infra
s[crip]t[u]m notariu[m] ut sibi vnu[m] vel plura publ[ica] [con]fice[re]m instr[ument]a Acta su[n]t h[ec] Anno
[illegible] die hora in[dictione] pont[ificatu] [et] loco p[re]dictis p[rese]ntib[us] [illegible] de [illegible]
Joh[ann]e d[ic]to [illegible] [illegible] ad p[re]missa p[re]sentib[us] vocatis s[pe]cialit[er] [et] Rog[atis]
Et ego [illegible] nat[us] henr[ici] de B[illegible] herbipolen[sis] dioc[esis] cl[er]ic[us] [illegible]
[illegible] publ[icus] Imp[er]iali auct[oritat]e not[ariu]s Q[ui]a p[re]dict[am] supplicac[i]o[n]em [illegible] [illegible] ac
[illegible] [et] responsio[n]em [illegible] [illegible] p[re]missis vna cu[m] p[re]d[ic]tis testib[us] p[rese]ns [illegible]
[illegible] ut sic fi[eri] vidi et audivi Ideo h[oc] p[rese]ns publ[icu]m Instrum[en]tum [illegible] [illegible] manu
[illegible] [illegible] [con]scripsi [et] in hanc publica[m] f[or]m[a]m redegi Signo[que] meo solito [et] [con]sueto
signavi Rogat[us] s[pe]cialit[er] [et] req[ui]situs in testimo[n]iu[m] p[re]missor[um]

In no[m]i[n]e d[omi]ni amen Noverint vniv[er]si p[rese]ns publ[icu]m instr[umentu]m inspect[ur]i seu legi audituri
q[uod] s[u]b anno a Nativitate d[omi]ni Millesimo Trecentesimo Quinquagesimo septimo die vicesima
sexta mensis Junij hora q[ua]si sexta Indic[tione] x pont[ificatus] s[an]ctissimi in xp[ist]o p[at]ris [et] d[omi]ni n[ost]ri
d[omi]ni Innocencij divi[na] p[ro]videncia p[a]pe vj anno q[ui]nto [illegible] [illegible] [illegible]
habitac[i]o[n]is hon[ora]bilis vir[i] [et] d[omi]ni d[omi]ni Eberhardi de Randecken decani eccl[es]ie [illegible]
[illegible] [illegible] [illegible] estivali eiusde[m] Curie In mei notarij publ[ici] [illegible] [et] testiu[m]
infrascriptor[um] p[rese]ncia p[er]sonalit[er] constitut[us] discretus vir Joh[ann]es [illegible] de [illegible]
p[res]b[ite]r [illegible] dioc[esis] [illegible] [illegible] [illegible] [illegible] petiuit [et] supplicauit a
honorabili viro d[omi]no Eberh[ard]o decano p[re]d[ic]to tunc ibide[m] [illegible] ut sibi p[ro]uidere
dignaret[ur] de p[re]benda s[e]u vicaria vaca[n]te in eccl[es]ia s[an]c[t]i Germani ex[tra] muros [illegible]
ex morte quonda[m] Joh[ann]is d[ic]ti [illegible] vltimi p[re]bendarij s[e]u vicarij eiusde[m] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] sup[er]dicto Ipo Joh[ann]i facte ad collac[i]o[n]em s[e]u p[ro]
[illegible] ven[erabilis] viri d[omi]ni [illegible] [illegible] s[an]c[t]i Germani p[re]d[ic]te sp[ec]tante Qui d[omi]n[u]s Eberh[ardu]s
decan[us] mox [illegible] publ[ice] dix[it] q[uod] ip[s]e p[er]misit multas ex causis [illegible] [illegible]
[illegible] [illegible] no[n] [illegible] exposuit sibi p[ro]uidere no[n] posse [et] [illegible] foret si sibi p[ro]uideret q[uod] nulla
valitura inde h[ab]ere s[e]u [con]seq[ui] posset [et] ut sit sibi p[ro]uide[re] distulit omnino
[et] contradixit Sup[er] q[ui]b[us] me notariu[m] [illegible] requisiuit ut sup[er] p[re]missis sibi publ[icu]m vel publ[ica]
[con]fice[re]m instr[ument]a Acta sunt h[ec] Anno [illegible] die hora Indic[tione] pont[ificatu] [et] loco
p[re]d[ic]tis p[rese]ntib[us] viris discretis heinr[ico] [et] Conr[ado] fr[atr]ib[us] filijs q[uon]da[m] Eberhardi de
[illegible] [illegible] [illegible] et Joh[ann]e d[ic]to [illegible] [illegible] [illegible]
ad p[re]missa p[re]sentib[us] vocatis s[pe]cialit[er] [et] Rog[atis] Item eo[n]de[m] [illegible] [illegible] hora vesp[er]or[um]
p[re]d[ic]tus Joh[ann]es [illegible] de [illegible] p[res]b[ite]r accessit vna mecu[m] [et] testib[us] [illegible] [illegible] [illegible]

habitacionis honorabilis viri domini friderici decani ecclesie sancte thome argentinensis in presencia dicti
friderici decani ... ac sibi cum instancia supplicavit ... sibi ... cura presbiteri
... dignaretur iuxta formam et tenorem litterarum apostolicarum sibi desuper concessarum Qui
... ... et quod ... se ... cum suis quid in huiusmodi negocio
et quid de iure facere debet se adimplere promisit Acta sunt hec ... presentibus
Johanne ... et henrico ... quondam Eberhardi de ... ad premissa
presentibus vocatis et rogatis Et ... anno indiccione mense die ...
vicesima octava mensis eiusdem hora quasi nona ... ... hugonis de ...
presbiter ... constitutus in presencia honorabilis viri domini Jacobi de Otterbach ... notarii
et testium subscriptorum ... Johannes presbiter ... domino Jacobo de Otterbach canonico ecclesie
argentinensis predicte petiuit humiliter et ... supplicavit quatenus sibi providere dignaretur iuxta
formam et tenorem litterarum apostolicarum sibi desuper directarum ... ... sibi mandatum
existeret Qui mox respondit quod ipse solus non esset executor ... in huiusmodi negocio
procedere posset ipse vellet se deliberare cum domino friderico decano predicto ... ...
executore quid in huiusmodi premissis negocio ~~procedere posset~~ foret faciendum Et ob hoc
... ... in huiusmodi negocio procedere in
tendebat Ipso vero Johanne presbitero supplicante quod sibi in huiusmodi ... ... providere et
promitteret ipse bene faceret quod dominus fridericus ... predictus sibi etiam provideret Qui
respondit quod ... ... quod sibi ... provideret nisi se ... cum ipso decano delibe
raret Acta sunt hec ... ...
argentinensis ecclesie ... ... domini Jacobi de Otterbach presentibus discretis
viris Conrado dicto ... Burkardo ... Johanne ... et henrico filio
quondam Eberhardi de ... ... ad premissa presentibus vocatis et rogatis
Super quibus petiuit ... ... publicum instrumentum Demum
vero eodem die hora post decantationem vesperarum predictus ... hugonis de ...
sen presbiter constitutus in presencia honorabilis virorum dominorum friderici decani ecclesie sancte thome et
Jacobo de Otterbach canonico ~~...~~ maioris ecclesiarum predictarum mei quoque notarii publici
et testium infrascriptorum ... ... presbiter ... ... cum instancia ... humiliter
supplicavit ut sibi providere dignaretur de prebenda se ... ...
... ... ut sit sibi providere ... ... Et super premissis ipse Johannes me notario
subscripto peciuit sibi publicum ... instrumentum Acta sunt hec in curia habitacionis domini Jacobi
de Otterbach canonici predicti presentibus honorabilibus et discretis Johanne de ... et Johanne
de landowe presbiteris ... ecclesie sancte thome predicte Burkardo dicto ... dicto
Brenner ... et pluribus aliis ad premissa presentibus vocatis et rogatis Demum
vero Anno indiccione mense et ... predictis die ... ... eiusdem mensis ... dictus Johannes

Hugone presbitero in presencia prefati domini Jacobi de Orterbach [illegible] testium infrascriptorum personaliter constitutus et in instanti primo sibi facto ab ipso domino Jacobo de Orterbach petiuit et supplicauit sibi prouideri. Qui dominus Jacobus [illegible] renuit et sibi prouidere contradixit [illegible] prime nominati [illegible] petiuit sibi publicum vel publica confici instrumentum. Acta sunt hec ante curiam [illegible] ipsius domini Jacobi hora dicta post meridiem vesperarum. presentibus Johanne de Andele et Henrico [illegible] ipsius domini Jacobi [illegible] et Johanne [illegible] predictis ad premissa testibus vocatis pariter et rogatis. Deinde eodem anno. Indictione nona et testium infrascriptorum constitutus prefatus Johannes Hugonis dedit [illegible] presbiter et predicto domino Friderico decano humiliter et deuote supplicauit ut sibi prouidere dignaretur [illegible] prout tenetur in mandatis. Qui dominus decanus se exhibuit paratum et obedientem sibi velle prouidere si valeat sibi [illegible] sed tamen non credidit [illegible] aliquid valitura inde consequeretur [illegible] sibi prouidere non posset. Acta sunt hec in curia [illegible] infra ambitum [illegible] Emmeramus predicte [illegible] videlicet in [illegible] eiusdem curie presentibus Henrico [illegible] Johanne de [illegible] et Jacobo de [illegible] presbiteris [illegible] Emmeramus predicte ad premissa testibus vocatis pariter et rogatis.

Et ego Wilhelmus natus Henrici de Bachen[illegible] Herbipolensis diocesis clericus [illegible] publicus imperiali auctoritate notarius. Quia peticionibus supplicationibus [illegible] denegationibus predictis omnibus et aliis et singulis premissis dum sic prout superius fiunt successiue fierent et agerentur una cum prenominatis testibus presens interfui eaque sic fieri [illegible] ideo hoc presens publicum instrumentum [illegible] confectum manuque mea propria conscriptum [illegible] signoque meo solito et consueto signaui rogatus et requisitus in testimonium premissorum.

[illegible] presentes tenor inspecturis [illegible] fore notum quod [illegible] regina [illegible] et [illegible] quod [illegible] publice [illegible] x debitoris [illegible] se obligari [illegible] facti prout [illegible] in litteris [illegible] sigillo [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] testes [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

In nomine domini amen. Positiones et articulos infrascriptos dat et exhibet pars et partis nomine discreti viri domini Johannis de Dudenhouen presbiteri Spiren. dioc. actoris ad probandum intentionem suam quam habet contra honorabiles viros dominos Walramum de [illegible] prepositum ecclesie sancti Germani extra muros Spiren. Eberhardum de Randecken maioris Fridericum sancte Trinitatis Spiren. decanos ac Jacobum de Otterbach canonicum eiusdem maioris ecclesiarum necnon contra alios et singulos quorum interest vel qui sua crediderint interesse coniunctim vel divisim et de quolibet et sic petit per partem adversam responderi.

In primis ponit et probare intendit quod a x. xx. xxx. xl. l. lx. annis citra et ultra et citra et per tempus cuius in contrarium memoria hominum non existit fuit et consuevit et est dicta ecclesia secularis et collegiata canonice et vulgariter nominata ecclesia sancti Germani extra muros Spiren. et quod ab eisdem temporibus et per ipsa tempora in eadem ecclesia fuit et consuevit et est certus numerus canonicorum et prebendarum [et dignitatum] quorum ipsa ecclesia fuit et habere consuevit et habet prepositum decanum et canonicos et personas seculares collegium et capitulum facientes et sic fuit et est dicta habita tenta et reputata dicitur habetur et reputatur palam publice communiter et notorie.

Item quod in ipsa ecclesia sancti Germani a singulis temporibus et per ipsa tempora fuit et consuevit et est [illegible]

Rex sit hic et lex super principibus ... religio
... fides in populo amor in principibus prudencia ...
Castitas in virginibus gratia ...
In nomine patris et filii et spiritus sancti. Der silue god der wyn vn water ghe schaffen heft
die hele disse wunde vnde von grunde wente ouer ut. Alse de silue wunde
dede longinus vnsem heren jhesu cristo dorch sine vorderen syden stak
wunde. Ek besweere dek by de heylighen ... Ek beswere dy
by der maget sunte marien. Ek beswere dy by de heilighe
karwaren dat du dyn blodent latest. dat du nicht en wullest
noch en swillest noch en swerest du schalst helen von grunde
wente ... ut de selue wunde de was gut dar ghingk ut
water vnde blot. dorch des heilighe blodes ere stant blot
vnde blot nicht mere in godes namen Amen